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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-43909-2024

Date of Decision:-30.09.2024

HARISH @ BHURA @ HARISH CHAND

... PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rishav Jain, Advocate, and
Ms. Charika Singla, Advocate, for the petitioner.

Mr. Surender Singh, AAG, Haryana

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under:-

FIR No.	Dated	Sections	Police Station
148	12.08.2024	115(2), 117(2), 118(1) & 3(5) of BNS	Hassanpur, District Palwal

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that in the FIR no specific overt act has been attributed to the petitioner. He submits that the petitioner is having one more case under the Excise Act, however he is on bail therein. Hence he prays for grant of anticipatory bail to the petitioner.

4. *Per contra* learned State counsel referring to the reply submitted by the State has assailed these arguments by submitting that the FIR is not encyclopedia and the statement of injured was recorded wherein he has leveled specific allegations against the petitioner of having caused the grievous injury on his person resulting in fracture of his nose, as such he prays for dismissal of the petition.

5. After considering the arguments and perusing the record, it is transpired that the injured in the present case happens to be Jogender Singh who in his statement has categorically stated that on 10.08.2024 he along with his friend Ravi and Sachin had gone to village Baswa where he met petitioner Harish who without any reason gave fist blow on his nose, as a result of which blood started oozing out and later in the evening when he was going to his brother's house, the accused alongwith his accomplice started giving brick blow towards him besides hurling abuses and attacked him with their weapons. From the perusal of the MLR, it transpires that the complainant had received as many as 7 injuries in the occurrence including the injury No.4 to be grievous in nature which has been attributed to the petitioner. Therefore, considering the nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

30.09.2024

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No