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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-51919-2024

Date of Decision : 07.11.2024

Karnail Singh @ Karnail Chand

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Satbir Singh Gill, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG Haryana

KIRTI SINGH, J.(Oral)

1. Apprehending arrest in FIR No.663 dated 20.09.2024, under Sections 115, 118(1), 3(5) of BNS, 2023 (Section 118(2) of BNS, 2023 added later on) registered at Police Station Rania, District Sirsa, the petitioner has preferred this petition under Section 482 of BNSS for grant of anticipatory bail.
2. The contents of the above-mentioned FIR are reproduced herein below :-

“Statement of Narender Kumar son of Kalu Ram, resident of Dhanoor and aged about 28 years, Mobile No. 83969-29995, states that I am resident of above said address and doing the labour work. Malkeet son of Kali Ram resident of Dhanoor is my friend. On dated 15.09.2024 in the evening at about 8/8:30 Malkeet Singh son of Balveer Singh who is my neighbour, they were quarreling with each other, I intervene and thereafter and got them separated and they went to their respective home. After some time Som Nath Son of Jeba Ram, Karnail Singh, Jarnail SIjngh sons of Balveer, residents of



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Dhanoor came in front of my house. Karnail was carrying iron pipe and they all three started abusing. When I, my wife and my father went to make them understand then Som Nath pushed my wife and my father due to which my father fell on the ground and he received injury. Karnail Singh gave iron pipe blow on my head. On hearing our noise people started gathering there then they all ran away from the spot. Thereafter my cousin Vijay arranged the vehicle and took me and my father to CHC Rania, their doctor gave us first AID and I and my father was referred to GH Sirsa, my father was admitted in GH Sirsa and due to severe injuries I was referred to MAMC Agroha and I was treated as MAMC Agroha. Till now due to effect of medicine and due to non feeling well I could not get recorded my statement. Today I came present in the police station and get recorded my statement. Legal action be taken against all these. I have got recorded my statement, read and understood, same is correct. Sd/- Narender Kumar attested by LASI Manju Bala, Police station Rania, dated 20.09.2024.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. He further submits that there is a delay of five days in lodging the FIR and the petitioner has also suffered injuries on his person.

4. Per contra, learned State counsel submits that the petitioner is specifically named in FIR, as well as disclosure statements of his co-accused persons Jarnail and Somnath. During the course of investigation petitioner/accused Karnail Singh @ Karnail Chand has been found involved in the commission of crime. During the investigation, it came to light that petitioner/accused was armed with iron pipe and inflicted head injury to the complainant/injured which was declared grievous by the doctor. The presence and active involvement of



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petitioners/accused in the commission of crime alongwith his co-accused was fully established during investigation.

5. Heard the rival submissions made by learned counsel for the parties and perused the record.

6. There are serious allegations leveled against the petitioner. As per MLR injuries attributed to the petitioner are grievous in nature. Accordingly, to unearth the true dimension of the alleged crime, this Court does not deem it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner at this stage.

7. The petition is dismissed.

(KIRTI SINGH)
JUDGE

07.11.2024
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No