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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-54698-2024**Date of Decision: 12.11.2024**

Harvinder Singh @ Dilbag Singh

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gurdarshan S. Sidhu, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Shailender Kashyap, Advocate with
Mr. Balsher Singh, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, with a prayer to grant anticipatory bail to him in case FIR No.602 dated 03.09.2024, registered under Sections 118(1), 118(2), 126, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (Later on Section 118(2) was deleted and Section 109 of BNS was added), at Police Station Rania, District Sirsa.

2. Learned counsel for the petitioner contends that the occurrence had taken place on 29.08.2024, whereas, the FIR in the present case was registered on 03.09.2024, after a delay of about 6 days and the said time was utilized in concocting a false version. Learned counsel further contends that even no injury has been attributed to the present petitioner and it has been falsely alleged that the petitioner had caught hold of Trilok, injured and his son Anspreet Singh had caused two injuries with a sword. He contends that Anspreet, main accused



was arrested in the present case and has already been admitted to bail by the competent Court. Since the petitioner was stated to be un-armed, his custodial interrogation may not be required in the peculiar facts and circumstances of the present case. Even otherwise, injuries suffered by Trilok, injured in the present case are on non-vital part of the body and the injured has already been discharged from the hospital.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had also actively participated in the commission of crime alongwith his son.

4. I have heard learned counsel for the parties and perused the record.

5. As per the case of the prosecution, the petitioner had caught hold of the injured from behind while injuries were caused to him by Anspreet Singh. Anspreet Singh was arrested in the present case and has already been admitted to bail.

6. Thus, without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(N.S.SHEKHAWAT)
JUDGE

12.11.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No