

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:148390



CRM-M No. 56592 of 2024 (O&M)

Date of Decision: 13.11.2024

Gautam Rana

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Gautam Dutt, Advocate and
Mr. Ribhav Singla, Advocate, for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner apprehends his arrest in respect of offences punishable under Sections 115, 117(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (Section 118(2) of BNS added later on) registered vide FIR No. 219 dated 04.11.2024 at Police Station Bajghera, District Gurugram.

2. The facts reveal that the petitioner assaulted the injured with a broken liquor bottle on lower part of the external ear but the injury suffered was not categorized as dangerous to life.

3. Learned State counsel, however, informs that the petitioner has criminal antecedents comprising of one FIR No. 157 dated 06.10.2017 under Sections 323/325/506/34 of the Indian Penal Code registered at Police Station Bajghera, District Gurugram.

4. The petitioner has assured that he will cooperate in the investigation and shall abide by all the terms and conditions of the bail bonds.

5. Looking to the nature of the offence which constitutes criminal antecedents of a case registered seven years ago, this Court can safely ignore the said antecedents. Accordingly, this Court extends the benefit of anticipatory bail to the petitioner subject to his furnishing personal bonds for a sum of Rs.50,000/- with two sureties of the like amount each to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. In case the petitioner does not join the investigation, the State is free to move an application for cancellation of his bail.

6. This order shall also remain subject to the following condition:-

i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned Police Station where the FIR has been registered within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.

7. The petition stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

13.11.2024

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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√