

2025:PHHC:003777



129.

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

CRM-M-801-2025

Date of decision: 10.01.2025

Pankaj Khurana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.K. Ganga, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0793, dated 29.11.2024, under Sections 109(1), 115, 281, 3(5), 351(2), 54 of BNS, 2023, registered at Police Station Sirsa City, District Sirsa.

On oral request of counsel for the petitioner, Section 117 of BNS, 2023 has been ordered to be added in the present petition.

Ordered accordingly. Registry to make necessary correction in the petition.

Learned counsel for the petitioner submits that it was on account of an admitted history of strained relations between the parties that a motor vehicular accident had been twisted and the version, as given in

the FIR, was trumped up. It has been further submitted that there was a delay of 02 days in the lodging of the FIR which further hints towards an embroidered version having been brought forth against the petitioner. Learned counsel has also asserted that although the injured was removed to the local Civil Hospital, however, for reasons but obvious, he was thereafter taken to a private medical facility for treatment and now had already been discharged in a satisfactory condition. Hence, in the light of the above, more so, when the petitioner has no previous criminal antecedents, he deserves to be extended the concession of anticipatory bail.

Notice of motion.

On the asking of the Court, Mr. Rahul Mohan, Senior DAG, Haryana, accepts notice on behalf of the respondent-State.

At this stage, Mr. Aditya Sanghi, Advocate, has caused appearance on behalf of complainant and filed memo of appearance in Court today, which is taken on record.

I have heard learned counsel for the parties and perused the material placed on record including the FIR in question, which has been annexed as Annexure P-1, and stands reproduced hereinunder:-

“Statement of Satwinder Singh alias Smile son of Sh. Jagmohan Singh r/o near Shiv Chownk Sirsa age 21 years, mobile no. 30792666 stated that I am a resident of the above-mentioned address and I am studying LLB from Doon College, Dehradun. On the evening of 27-11-2024, I and my father Jagmohan Singh both had gone to Riddhi Siddhi Palace to attend a wedding ceremony. Pankaj Khurana son of Purnchand r/o near Shiv Chownk, Sirsa, who is my neighbour, had also come to the same wedding and was staring at me repeatedly because about a month back we had a fight which

was later settled through Panchayat. When we reached near lovely sweets, Pankaj Khurana tried to run his Ritz car no. HR-24-R-6171 over us, but we had a narrow escape. Sensing the danger, I took my motorcycle through the narrow streets and when we started turning towards our house, then on the side of the road, on the other hand Pankaj's father Purnchand Khurana Pahwa was seen sitting outside the General Store, when I saw him sitting in front of the store, I stopped the bike and asked my father to tell Purnchand about today's incident. When my father Jagmohan Singh went to the other side to reprimand Purnchand, Purnchand started abusing my father and me and picked up a brick to hit my father. I called out to my father and called him back. As soon as my father came to this side of the road, suddenly Pankaj Khurana came again with his Ritz car HR-24-R-6171, Purnchand called out loudly and asked Pankaj to kill Jagmohan by running his car over him. Pankaj Khurana, on the instigation of his father Purnchand, increased the speed of his car and with the intention of killing my father Jagmohan Singh, hit my father hard with his car. Due to which my father Jagmohan suffered severe injuries on his head, forehead, face, chest, both knees and right leg and he fainted in the spot. Pankaj Khurana led from the spot with his car. I arranged for a vehicle and took my father for treatment. He was taken to the government hospital where after the MLR, my father was referred to Delhi Spine and Neuro Hospital Sirsa for treatment considering his serious conditions, I got him admitted there. He is still in unconscious condition. Due to the rivalry of fight that happened about a month ago, Pankaj Khurana, at the instigation of his father Purnchand, ran his car over my father against Pankaj Khurana s/o Purnchand and Purnchand s/o Munshi r/o Shiv Chownk Sirsa. I have written the statement, it has been read, Okay. Sd/- Satwidner Singh Attested Charnjeet Singh SI PS City Sirsa date 29-11-2024.”

Bare reading of the allegations levelled in the FIR prima facie reveals that on account of a history of animosity between the parties, the petitioner had intentionally tried to collide his car with the two-wheeler of the complainant and thereafter, when the complainant was going on foot, he again tried to run over his car over the father of the complainant, who resultantly received as many as 09 serious injuries all over his body. The

father of the complainant was immediately removed to the hospital in a serious and unconscious condition.

In the light of the allegations levelled and the mode and manner in which the occurrence in question allegedly was given effect to, the petitioner does not deserve the extraordinary concession of anticipatory bail.

Present petition stands dismissed accordingly.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 10, 2025
sanjeev

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