



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

CRM-M-3538-2025

Date of Decision: 28.01.2025

Ram Niwas

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Suvir Sidhu, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Govind Mor, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case FIR No. 426, dated 06.12.2024, under Sections 110,115,333,351(3),3(5) of BNS, registered at Police Station Adampur, District Hisar (Annexure P-1).

2. Learned counsel for the petitioner contends that in the present case, petitioner has been falsely involved by alleging that the petitioner was armed with a spade and he had given a blow with a spade on the head of Nand Lal, complainant. As per learned counsel, injuries No.1 and 2 suffered by Nand Lal, injured have been declared to be simple in nature. He further contends that two persons i.e. Nand Lal and Banarsi had suffered injuries on the side of the complainant, whereas, three persons namely Ramniwas, Promila and Rachna had suffered injuries on the side of the present petitioner. Thus, it is a case of version and cross-version and the question of aggressor is yet to be decided by

the Trial Court. He further contends that in the present case co-accused, Parmila, Rachna, Mahabir, Devi Lal and Maina Devi have already been granted the concession of anticipatory bail by the Trial Court. Thus, the custodial interrogation of the petitioner may not be required.

3. A compliance report by way of an affidavit of Deputy Superintendent of Police Agroha, Hisar has been filed on behalf of respondent-State and the same is taken on record.

4.. 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. However, they are not in a position to controvert the factual submisioins made by learned counsel for the petitioner.

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

6. In the present case unfortunately, both the parties have suffered injuries and the prosecution is yet to led evidence with regard to the question of aggressor as well as the involvement of the petitioner in the crime. The injuries suffered by Nand Lal in the present case, which are specifically attributed to the present petitioner, have been declared to be simple in nature.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the 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 B.N.S.S.

28.01.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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