

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4933-2025
Reserved on: 18.03.2025
Pronounced on: 25.03.2025

Rajesh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Tanwar, Advocate for the petitioner.
Ms. Trishanjali Sharma, DAG, Haryana.
Mr. Yogesh Vashista, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
356	10.12.2024	Rohtak Sadar, District Rohtak	115(2), 126(2), 351 (3), 3(5) of BNS (Sections 117(2), 110 of BNS added later on)

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 13 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are taken from the translated copy of the FIR attached to the bail petition as Annexure P-1, which reads as follows:

“To the Chowki Incharge Titoli, it is prayed that I Himanshu son of Umeshpal am resident of village Samargopalpur, District Rohtak. That I had gone to attend Gurchari function for Atul’s wedding of our village where Sachin son of Krishan, resident of village Samargopalpur and Rajesh son of Lilu resident of village Samargopalpur had also come there. Both of them already planned to beat me. As soon as I left for home from there then they blocked my way and wrongfully restrained me and attacked me with an iron rod and threatened me with dire consequences of death and fled away from there. When we reached CHC Chidi for treatment, they referred me to Civil Hospital Rohtak. Thereafter, I went to the police station and presented application along with application and

ruqqa and prayed that legal action be taken against both of them.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The State’s counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

“9. That the specific role of the petitioner is that he stopped the complainant in the way while he was going to his house and caused injuries to him with iron rod.

10. That there is specific evidence on case file regarding involvement of petitioner in the incident. The petitioner is specifically named in the FIR and as per the disclosure statement of petitioner iron rod was recovered from him and he has demarcated the place of occurrence.”

7. The counsel for the complainant also opposes bail.

REASONING:

8. The weapon used in the crime i.e. iron rod, has been recovered from the petitioner and he has also got demarcated the place of occurrence. As per status report, the doctor has mentioned nine injuries as fracture on the complainant, as such, the petitioner is not entitled to bail.

9. A perusal of the bail petition and the documents attached prima facie points towards the petitioner’s involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. **Petition dismissed.** Interim order dated 30.01.2025 is recalled with immediate effect. All pending applications, if any, are disposed of.

**(ANOOP CHITKARA)
JUDGE**

25.03.2025
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.