



CRM-M-6411-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

102

CRM-M-6411-2025

Date of decision : 05.02.2025

Sachin Kumar

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Riffi Bala, Advocate for the petitioner.

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sachin	125	05.07.2023	332,353,186, 224,225,427, 506,148,149 of IPC	Guruharshai	Ferozepur

2. Learned counsel for the petitioner, *inter alia*, contends that even if allegations are taken to be true at its face value, no specific role has been attributed to the petitioner. All the allegations causing injuries are upon the other villagers, who started pelting stones and brickbats upon the police party, which came from District Kaithal (Haryana) to the village of the petitioner in



CRM-M-6411-2025

District Ferozepur (Punjab) to arrest him in case FIR No.460 dated 27.08.2022, under Sections 406 and 420 of IPC, registered at Police Station Kaithal City, District Kaithal. Allegations in the said criminal case registered in District Kaithal were of taking an amount of Rs.8,00,000/- under the promise of sending someone abroad. She further contends that the incident took place on 05.07.2023 and on the same day at 07:00 P.M., petitioner was medically examined by the doctors of a hospital, namely The Punjab Health Systems Corporation, wherein the following five injuries were noticed:

1. *Swelling (8x4cm) present on the little finger of 2 hand, 8 cm from (L) wrist Joint. Adv X-Ray of (L) hand.*
2. *Abrasion (3x1cm) & swelling (10x10 CM) present on the (R) Knee.*
3. *Swelling (4x4cm) present on the (R) elbow. Non Tender in nature.*
4. *C/o pain present on the whole back. Non Tender. No External Injury.*
5. *C/o Pain present on the Head (occipital region) Non Tender in nature. No Ext. Injury.*

3. She, thus, submits that injury No.1, which was suffered on left little finger, was declared as grievous by the doctors. Based upon, the aforesaid facts, learned counsel for the petitioner submits that in fact, the petitioner has been victimised and no injury has been caused to the police party by anyone.

4. On advance notice, Mr. Amandeep Singh, DAG, Punjab, appears and referring to the vernacular of FIR pointed out that two police officials had suffered injuries i.e. three injuries by ASI Surinder Kumar, four injuries by ASI Kuldeep Singh. Though all the injuries are declared to be simple in nature. He further contends that the present petitioner is involved in two more



CRM-M-6411-2025

cases, wherein allegations against him are of cheating and breach of trust.

5. Contention of the learned State counsel is that it is because of help provided by the villagers by taking law in their hands that the petitioner succeeded in running away from the spot and the injuries which have been shown by him is on little finger, nothing can be said at this stage that how the petitioner suffered those injuries. He further submits that the bail application of co-accused namely, Subhash Singh and one more co-accused has already been dismissed by this Court vide order dated 28.07.2023 passed in CRM-M-36394 of 2023. Therefore, he submits that the petitioner does not deserve any special treatment and has to be treated equally by declining the prayer for anticipatory bail.

6. I have considered the submissions addressed by both the counsel and perused the record.

7. Undoubtedly, counsel for the petitioner relies upon the fact that the petitioner was victimised by the police people and has suffered injuries which are apparent from the copy of MLR appended with the petition (supra), but two of those injuries are related to complaint of pain, swelling and abrasion and the one is stated to be grievous injury which is on the left little finger. No observation is required to be made while deciding the present petition because that may prejudice the right of the accused for the purpose of taking his defence during the course of trial. Moreover, examining the facts in its entirety, the Court views it from the angle that it was on the provocation of the petitioner that the 15/20 persons/co-villagers gathered and surrounded the police people further to enable him to flee from the process of law. This Court cannot see his conduct in a different manner than that of the co-accused whose bail application for pre-arrest bail has already been dismissed by this Court.



CRM-M-6411-2025

Rather, he is the star accused, who appears to have managed the behaviour of the crowd of the people who helped him to run away from his own house with the help of those people.

8. Moreover, the petitioner is stated to be facing charges of cheating and criminal beach of trust also, thus, no special reason is pointed out to extend discretionary relief to the petitioner in the form of anticipatory bail in present case.

9. Hence, anticipatory bail is dismissed.

(SANJAY VASHISTH)
JUDGE

05.02.2025
Nisha-I

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