



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

CRM-M No.8082 of 2025
Date of decision: 13th February, 2025

Yashpal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pardeep Panwar, Advocates for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.545 dated 29.09.2024 under Sections 109(1), 115(2), 126(2), 190, 191(1) of the BNS registered at Police Station Adarsh Nagar, Ballabgarh, District Faridabad.

2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner was neither named in the FIR nor assigned any specific role in the alleged occurrence. In fact, the petitioner was not even present at the time of the incident. It has been asserted that the petitioner's implication in the instant case is solely based on a disclosure statement allegedly made by co-accused Vipin, who falsely claimed that the petitioner was present with him when the complainant was assaulted. It has been argued that the said disclosure statement, apart from having

minimal evidentiary value, is the only material against the petitioner, and there is no independent evidence linking him to the alleged crime. In view of these circumstances, the petitioner therefore, deserves the concession of anticipatory bail.

3. Notice of motion.

4. Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana who is present in Court, accepts notice on behalf of the State.

5. On being put to notice, learned State counsel has vehemently opposed the petition. While conceding that the petitioner was not named in the FIR, it is argued that the FIR, annexed as Annexure P-1, itself reveals a premeditated assault carried out by a group of about six persons. The assailants arrived at the scene in a car and, without any provocation, attacked the complainant, causing serious injuries, including head injuries that rendered him unconscious. The complainant was immediately admitted to the hospital by passersby. It is further submitted, on instructions, that co-accused Vipin, who was specifically named in the FIR, upon interrogation after his arrest, categorically stated that the petitioner was among those who actively participated in the assault. Additionally, learned State counsel, on instructions, has submitted that CCTV footage retrieved from the scene of the incident shows the petitioner alighting from the car along with the co-accused and inflicting leg and fist blows on the complainant. As per the learned State counsel, the complainant sustained seven injuries,

including two on his head, four of which were declared dangerous to life.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. It is evident, prima facie, that the attacked was unprovoked and carried out by all the accused in concert, including the petitioner. Though the petitioner was not named in the FIR, his presence at the scene of the crime is reflected in the CCTV footage, wherein he can be seen assaulting the complainant. The contention of the learned counsel for the petitioner regarding false implication cannot be examined at this stage while considering a petition for anticipatory bail.

8. Accordingly, the present petition is dismissed. 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

February 13, 2025
rps

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