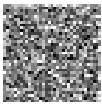


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2025/PHHC/027656



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11095-2025
DECIDED ON: 27.02.2025

BABBAR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Naveen Kumar Jaglan, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in F.I.R No. 173 dated 11.10.2024 U/S 115 (2), 118(1), 118(2), 190, 191 (1), 333, 351(2) of BNS, P.S Police Station Ismailabad, District Kurukshetra, (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Copy of the complaint is as Follows: To SHO PS Ismailabad, Subject:- Respected Sir, it is submitted that I, Prince kumar Son of Pawan Kumar, age 34 years mobile 8295168481, resident of Jaat Mohala Village Ismailabad District Kurukshetra and is engaged in buffalo selling business, that before elections Sukhvinder Singh Binda son of Ajmer Singh resident of Jaat Mohalla, village Ismailabad, was having grudge with me and my brother Rajeev

Kumar @ Rimpny, that we had forgot about this but Sukvinder Singh @ Binda having anger in his heart. That on 10.10.2024 above said Sukvinder Singh @ Binda at about 7.30 along with 6-7 persons came to our house but only ladies and children's were present in the house, Sukhvinder Singh left after arguing and threatening them, that at about 8 pm when we return home, our ladies told us Sukhvinder Singh came and left after arguing with them, that at about 10.45 pm when we were present with at our house along with ladies and children's then Sukhvinder Singh Binda resident of Ismailabad alongwith his two real nephews (Banje) in vehicle no. PB11QS8858 along with 18-20 young person's armed with wooden Sticks/bat, Kirpan, and Gandasi, attacked upon us and entered into our house and started beating ladies and children and Sukhvinder Singh @ Binda with having a sharp object in his hand caused injuries on various parts of my body and rest of the boys, name not known to me, gave stick/bat blow on my legs due to which I, suffered injuries on my head, arm and left leg, that during this quarrel accused persons snatched gold chain weighing around 1.25 Grams from my neck. That Sukhvinder Singh @ Binda r/o of Jaat Mohalla, Ismailabad and other 20-22 unknown boys have caused injuries to me in my house and while leaving had threatened to kill me by saying that today you are spared, next will kill you and your brother Rimpny, that legal action be taken against the accused persons and justice be provided to me.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused namely Amrinder Singh and no specific injury is attributed to the present petitioner. He further submits that injury No.3 has been caused

with a sharp edged weapon and the same has been attributed to the co-accused Sukvinder Singh @ Binda.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Baljinder Singh Virk, Sr. DAG Haryana, accepts notice on behalf of respondent/State. He could not controvert the submissions made by learned counsel for the petitioner rather candidly submits that no specific injury has been attributed to the present petition.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that except disclosure statement, no overt act has been attributed to the petitioner and also the injury which was given by a sharp edged weapon is attributed to the co-accused namely Sukvinder Singh @ Binda, therefore, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

27.02.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>