



CRM-M-13097-2025

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

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CRM-M-13097-2025

Date of decision: 7th April, 2025

Harish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Dhawaljeet, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.
Mr. Narinder S. Lucky, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 553 dated 29.12.2024 registered under Sections 115(2), 333, 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 117(2) of BNS added later on) at Police Station Goindwal Sahib, District Tarn Taran.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Harjit Singh @ Vicky, alleging that on the intervening night of 23/24.12.2024, the petitioner and the co-accused who had a verbal altercation with the family members of the complainant during day time, gathered outside his house and started damaging the gate installed by the family of the complainant. The complainant raised alarm and then the petitioner along with the co-accused Rakesh and Harbans Lal criminally trespassed into his house and opened an attack upon him thereby inflicting injuries. On clamour being raised, they fled away. After



registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Tarn Taran, which was dismissed vide order dated 18.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, the members of the complainant party were building a pillar in the public street during night time and when the petitioner had tried to stop them, they had inflicted injuries on his person. It is a case of version and cross-version. He himself sustained injuries and remained admitted in hospital. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Punjab, assisted by learned counsel for the complainant has argued that in view of the gravity of the allegations, the petitioner does not deserve to be given benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have assaulted the complainant and caused injuries to him. A copy of his medico legal report shows that he too sustained simple injuries in the same incident. The injuries sustained by the complainant are on vital part of the body and opined to be grievous in nature. Taking into consideration the nature of allegations and the role attributed to the petitioner coupled with the fact that



no extraordinary circumstance of exceptional nature for grant of anticipatory bail is made out, in my opinion, the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

7th April, 2025
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No