



216

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

CRM-M-16412-2025

Date of decision: 25.04.2025

Lakhan

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. R.K. Choudhary, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.60 dated 10.03.2025 (Annexure P-1) under Sections 190/191(3)/115(2)/117(2)/126(2)/351(2) of BNS registered at Police Station Chandhat, District Palwal, Haryana.

On 26.03.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.60 dated 10.03.2025 under Sections 190, 191(3), 115(2), 117(2), 126(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Chandhut, District Palwal.

Learned counsel for the petitioner, inter alia, contends that except the offence under Section 351(2) of BNS, all other offences are bailable in nature. Further, there is no specific allegation against the petitioner. It is not forthcoming from the case set up by the prosecution that who has inflicted grievous injury. The petitioner is 18 years of age and is having clean antecedents and he is not involved in any other case.

Notice of motion.

Ms. Geeta Sharma, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Afzal Hussain, Advocate appears on behalf of the complainant and files his Vakalatnama in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Learned counsel for the complainant vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner has played an active role and has caused injuries to the complainant due to the fact that sister of the petitioner eloped with brother of the complainant.

Adjourned to 25.04.2025.



CRM-M-16412-2025

-2-

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from ASI Amit, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 26.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

25.04.2025

Neha

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