



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

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CRM-M-16752-2025

Date of decision: 27.03.2025

Bhupender @ Monu Gurjar**.....Petitioner****Versus****State of Haryana and Another****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Jatinder Kumar Kansal, Advocate for
Mr. Abhinav Gupta, Advocate for the petitioner.

Mr. Aashish Bishnoi, DAG, Haryana.

Mr. Gurqurban S Sarao, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.391 dated 07.12.2024 under Sections 3(5)/308(2),309(4),324(4),333/351(2) BNS, 2023 registered at P.S Bawal, District Rewari.

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

“ To, the Station House Officer, Police Station Bawal, Subject: Complaint against Bhupender Jangid alias Bhoopi caste Khati, resident of Bawal Mohalla, Anand Nagar, Monu Gurjar, resident of Bawal Mohaalla, Kanugo at present residing at Rasiawas road Bawal, Police Station Bawal. Sir, it is requested that I Rajan son of Sh. Om Parkash Chandna caste Punjabi, am resident of Bawal Mohalla Punjabi Tehsil and Police Station Bawal, District Rewari, Haryana and I have a shop under the name of Manish Mobile near Sir Chhotu Ram Chowk. On 07.12.2024 at 3.00 PM, I was working



at my shop, then above said Bhupender Jangid @ Bhoopi and Monu Gurjar came at my shop and while entering into shop, they abused me and demanded money from me but I refused to give money then Bhupender Jangid @ Bhoopi has broken the glass of main door of my shop with Danda and I received injury on my foot with the pieces of glass and Monu Gurjar has tried to take money from the cash box of my shop and they threatened to kill me and told me that if you reported the police regarding this matter, then we will kill you and while abusing they taken away the costly material Ear-pods etc. from the counter of the shop. I made phone call from mobile No. 9306825639 to helpline No. 112, then the PCR employee reached there. Now I came to you to take action in this regard. I have apprehension to my life and liberty at the hands of above said persons. You are requested that the legal action be taken against the accused persons and my life and liberty be protected and justice be provided to me. I shall be thankful to you. Dated: 07.12.2024 Sd/- Rajan, Rajan son of Sh. Om Parkash Chandna, resident of Bawal Mohalla Kanugo Police Station Bawal District Rewari Mobile No. 9255208854. Today in Police Station AS per the contents of complaint offence under section 3(5), 308(2), 309(4), 324(4), 333, 351 (2) of BNS, 2023 is made out, therefore FIR No. 391 dated 07.12.2024 under section 3(5), 308(2), 309 (4), 324 (4), 333, 351 (2) of BNS, 2023 has been registered in Police Station Bawal and copies of he FIR have been prepared through computer which are being sent as special report of the case to senior officers and Ilaga Magistrate by the hand of ESI Daya Nand No. 509. After receiving the copy of FIR alongwith original complaint, myself SI along with CT Sunil No. 1177 on government car bearing registration No. HR36-GV1005 being driven by Ankit HKRNL going to the place of incident. ”

3. **Contention**
On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, there was a money dispute between the complainant and the petitioner. Besides, there is inordinate delay in registration of alleged FIR as the occurrence had allegedly taken place on 07.12.2024 at 3.00 pm but the matter was reported to police on 08.12.2024 at 8.30



am. No injury is attributed to the petitioner and the petitioner is ready and willing to join the investigation.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Aashish Bishnoi, Advocate accepts notice on behalf of the respondent-State and opposes the grant of anticipatory bail on the ground that the petitioner along with other co-accused persons had demanded money from complainant and when she refused, the petitioner along with other co-accused inflicted injuries on the complainant.

4. **Analysis**

Be that as it may, considering the fact that the instant case involves a money dispute between the complainant and the petitioner and taking into account the fact that no specific injury is attributed to the present petitioner, custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. 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 and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

27.03.2025
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |