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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17278-2025(O&M)
Date of decision:-06.05.2025

RAJ KUMAR AND ANOTHER
Versus
STATE OF HARYANA
... Petitioners
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Monu Sharma, Advocate, for the petitioner.
Mr. Vipul Sherwal, AAG, Haryana.
Mr. Mayank Yadav, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

Learned State counsel has filed status report by way of an affidavit dated 03.05.2025 of Deputy Superintendent of Police, Narnaul, District Mahendergarh, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
07	16.01.2025	121(1), 132, 190, 191,(3), 221 BNS (Section 121(2) and 115 BNS added later on)	Sadar Narnaul, District Mahendergarh

3. Arguments heard.
4. It is *inter alia* contended by learned counsel for the petitioners

that the petitioners are innocent and have been falsely implicated in the present case as a result of after thought. He contends that no specific overt act is attributed to the petitioners and even the FIR was registered after an unexplained delay of 8 days from the alleged occurrence. The petitioner have not participated in the alleged occurrence in any manner, hence prayed for grant of anticipatory bail to the petitioners.

5. Per contra, learned State counsel assisted by learned counsel for the complainant, referring to the status report submitted by the State has opposed the bail petition on the ground that name of the petitioners have surfaced in the supplementary statement of the complainant recorded on 27.03.2025, wherein he has specifically alleged that the petitioner having threatened to kill him as he was the Sarpanch of the village and had also attacked his father Mahipal and brother while being armed with axe and iron rod. They contend that specific overt act is attributed to both the petitioners in causing injuries to the complainant with their respective weapons, the recovery of weapons is yet to be effected from the petitioners for which their custodial interrogation is required, hence prayed for dismissal of the bail petition.

6. After considering the rival contentions and going through the record, it is observed that as per the case of the prosecution, the complainant Vijay Pal is the Sarpanch of the village and on 16.01.2025 at about 11:00 am he along with the Block Development and Panchayat Officer, Sub-Divisional officer and Secretary had gone for construction of foundation in the place belonging to the Panchayat then petitioners along with Rajesh, Satbir, Hoshiyar objected and the present petitioners threatened to kill the

complainant and later in execution of criminal conspiracy they armed with deadly weapons attacked the complainant and caused injury on head and back and when his father and brother came to the spot to rescue, the assailants also caused injuries to his father, the injured were shifted to the hospital and FIR was registered.

7. The perusal of record reveals that there are specific allegations levelled against the petitioners by the complainant of having caused multiple injuries on his person with their respective weapons. It is specifically alleged that the petitioner Raj Kumar had given reverse axe blow towards the head of the complainant and when he raised right hand to block his head it hit his elbow causing fracture, petitioner Raj Kumar gave another reverse axe blow on his waist while Rakesh attacked him with iron rod on his head resulting in bleeding there from and the complainant had to get 6-7 stitches on his head. Therefore, considering the nature and gravity of offence and also the fact that custodial interrogation of petitioners is required for recovery of weapons used in the crime, no case is made out in favour of the petitioners for grant of anticipatory bail to the petitioner, as a consequent, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

06.05.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No