



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

CRM-M-17369-2025

DATE OF DECISION: 28.03.2025

BALWANT SINGH

...PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Varsha, Advocate for the petitioner(s).
Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)1. Prayer

This petition has been filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of anticipatory bail to the petitioner in FIR No.02 dated 02.01.2025 (P/1), under section: 115(2), 3(5), 351 (2) BNS, 2023 and later on added Section 118(1) of BNS, 2023, registered at Police Station Raipur Rani, District Panchkula.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

'Sir, today i.e. on 02.01.2025. Dhruv s/o Sh. Mukesh Kumar r/o village Balmiki Basti, Raipur Rani came present in the police station and produced one complaint, which is as follows: To the SHO, Police Station Raipur Rani. Panchkula. Sir. stated that Dhruv s/o Sh. Mukesh Kumar, am R/o village Balmiki Basti, Raipur Rani. I am 14 years old. Today, I was doing vegetation work in my vacant plot. The house of Chirag s/o Balwant Singh is situated near our plot. Chirag, his younger



brother Gagan and Lucky were standing there and we were joking with each other. Thereafter our quarrel took place and Lucky ran away. Thereafter Chirag came alongwith his father Balwant. Balwant caught hold my neck and Chirag gave rod blow on my head. Legal action be taken against them and they went away after threatening to kill. Dhruv s/o Sh. Mukesh Kumar, Mob. No.98967617331.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that as per the allegations, the petitioner inflicted injury to complainant and that the petitioner caught hold of his neck, while his son gave rod blows on his head. He further submits that instead it was the complainant and his family members who attacked upon the petitioner side by trespassing his house. He points out that the petitioner has no role to play in the allegations levelled against him rather he intervened to stop the quarrel between the minor children of both the sides.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from SI Partap Singh vehemently opposes the prayer for grant of concession of anticipatory bail. He would submit that admittedly it is a no injury case at the end of the petitioner but the son



of the petitioner has given head injury with an iron rod on the person of the complainant and the same is kept under observations and MLR would suggest the linear abrasion.

4. **Analysis**

In light of the above facts wherein the petitioners has not been attributed any injury and was rather intervened to stop the fight; and the fact that he is ready and willing to join the investigation, more so, nothing is to be recovered from the petitioner, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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 one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

28.03.2025
anuradha

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