

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

CRM-M-18501-2025
Reserved on: 07.05.2025
Pronounced on: 19.05.2025

Kunj Bihari Sharma @ Bablu Sharma ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Aashish Bishnoi, D.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
199	25.03.2025	Palla, District Faridabad	110, 115, 3(5) of BNS

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 15 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from translated version of FIR, which reads as follows:

“Statement of Pradeep S/O Shyam Singh R/O Village Kudari Police Station Rendhar District Jalaun (UP) Presently Tenant Sai Enclave Village Mawai Faridabad Age 34 Years Mobile No. 9319393091, Stated that I am a resident of the above address. I do labour work, we are two brothers, my father has passed away. I am married. On 13.02.2025, I went from my house to Vinay Nagar Labour Chowk at about 10.30 AM in search of work. due to not getting work, I sat in the empty ground in front of Vinay Nagar Theka, after that I bought liquor from Vinay Nagar Theka and started drinking liquor sitting in the empty place, between about 2.30 to 3 PM, in the ground, two-three boys came to me, whose names and address I do not know, as soon as they came, they started asking me for money to drink liquor, I refused. Upon my refusal they started beating me with kicks and punches. After a while, their acquaintances Bablu Sharma, Sonu

Kabadi and Farukh Biryani wala arrived at the spot because I already knew Bablu, Sonu Kabadi and Farukh, they started hitting me with sticks and they made me fall on the ground and as I was lying on the ground, they started hitting me with sticks and kicks. They attacked me several times on my stomach and also kicked me on the face. Hearing the noise of the fight, my friends Manoj and Bhanu came to the spot, after which I fell unconscious. I came to know later that on that day my friends and family members got me admitted in Master ji Hospital Palla, from there, after a day my family members got me admitted in Safdarjung Hospital Delhi, from 14.02.2025 to 20.02.25 and after being discharged from the hospital on 20.02.2025, I came home and since then I am resting at home. My treatment is still going on at Safdarjung Hospital, during the treatment we did not give any information to Palla police station, nor did I give my statement and application to Palla police station. Today I have submitted in my MLR No 23069 dated 15.02.25 and have given you my statement in writing, I request you to take strict action against those people because before this I was incapable of giving any statement, whatever I have written down, read out and heard, it is fine. SD Pradeep.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to medical report Annexure R-4 which reads as follows:

“1. As per records available, the nature of injury was dangerous to life.

2. As per records available, the injury could be by blunt object.

3. Yes, the injury was danger to life.

4. Pradeep was discharged in stable condition on 20.02.2025. His present medical condition cannot be commented upon, for which he needs to visit surgery OPD on any Tuesday and Friday in Room No.- 243/246.

5. Yes, due to trauma by kicks, punches and stick intestinal perforation can happen.

6. Pradeep was admitted from 15.02.2025 to 20.02.2025 (05 days).”

7. Thus, the injury was dangerous to life and the manner in which the offence was committed indicates cruelty. Once cruelty is an issue, the parameters for granting regular bail and anticipatory bail are entirely different and given the element of cruelty and nature of injury, the petitioner is not entitled to anticipatory bail.

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8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. **Petition dismissed.** Interim orders, if any, are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

19.05.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.