



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

CRM-M-19328-2025

Date of decision: 08.04.2025

Mandeep

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Navneet Kaur, Advocate for the petitioner.

Mr. Ashish Bishnoi, DAG, Haryana.

Mr. Sajal Bansal, 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.113 dated 15.03.2025 (wrongly mentioned as dated 14.03.2025 as a typographical error in the order passed by Ld. Sessions Judge, Panchkula) under Sections 115, 3(5), 333 & 351 (3) of BNS registered at P.S Chandimandir District Panchkula.

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

“ Sir, the copy is such that it is recorded at 11.20 AM that at this time I am at He Haur Chowki that Sandeep Chaudhary S/o Suchha Singh resident of Village Devinagar Sector-3 Panchkula came to Hajir Chowki and presented a complaint, on which No. 51 was put on 15-03-2025, the gist of which is as follows, to CP Panchkula DCP Panchkula Chonki Incharge Sec-25 PKL Subject Regarding attack on 14/3/25 at night by 5 to 6 people with swords and sticks, looting. Sir, I request you that I am Sandeep Chaudhary Sto Suchha Singh resident of village Devinagar Sector-3 Panchkula. I have a



shop in the name of Tricity Kathi Roll in Sector-25. I was sitting at my shop. Then 5 to 6 people came to the shop whose names were Amandeep, Mandeep Danish and others. They came around 9 o'clock and asked me for free food and give me Rs. 5000 for the week. And we take weekly payments from all over Panchkula, When I refused to pay, they attacked me with swords, sticks and sharp objects. They entered my shop and took out Rs. 15000 from my pocket and took off the gold chain from my neck and ran away. And said that I should start paying weekly payments. And if I don't pay, I will lose my life. And they ran away in a swift car. There is CCTV Footage of this case as well. Which I will make available to you. This Amandeep and others have been involved in hooliganism earlier as well. Sir. I request you to take strict action against them. So that peace remains in the city I would be highly grateful to you. Thank you, sandeep 9646797987 Police action- On date 15-03-2025, a letter from Dr. Unknown Sandeep Chaudhary So Suchha Singh resident of village Devinagar Sector-3 Panchkula Bajaria Police Station Chandimdir was received on his WhatsApp group and in this regard, the above mentioned Sandeep Chaudhary came to the police station and lodged a complaint on which number Dasti-51 dated 15/03/25 was put and as the circumstances of the complaint were suspicious, a report was registered and the diary was prepared to verify the circumstances and the circumstances of the complaint were verified by going to the spot and during the verification, Sandeep above mentioned presented MLR NO-PKL MLC/25/03/1309 AA DT 14/03/2025, in which Dr. Sahib has reported 7 injuries to the injured Sandeep above mentioned. in which injury no. 1, the patient has superficial reddish abrasion of size 0.5*0.5cm over left knee with reddish blue bruise of size 2.0*1.0cm behind left knee Adv xray left knee AP/lat view and ortho opinion, Injury No. 0-2 patient has superficial reddish blue bruise of size 2.0*1.0cm over right thigh Adv x ray right thigh AP/lat view and ortho opinion, Injury No. 0-3 patient c/o pain and swelling in left elbow. No external mark of injury seen. Adv xray left elbow Apflat view and ortho opinion, injury no0-4 patient has superficial reddish blue bruise of size 1.0*0.5cm over right hand Adv x ray hand AP/OBL view and ortho opinion, injury no0-5 patient c/o pain Diminishing of hearing in left ear gt, No external mark of injury



seen. Adv ENT opinion. Injury No. 0-6 patient c/o pain in occipital region. No external mark of injury seen. Adv NCCT head and surgeon opinion. Injury No. 0-7 patient c/o back of chest. No external mark of injury seen. Adv x ray chest Pa/Ap view and surgeon opinion has been reported and nature of injuries after opinion and kind of weapon blunt has been reported. During the circumstances, taking off the gold chain and snatching of money has not been confirmed and neither has demanding weekly money been confirmed and on checking the footage of CCTV camera installed at the spot, it has been confirmed that 4 persons entered Sandeep's shop and beat him up. The manager police station was informed about the situation over phone at Bajaria. After verifying the circumstances, from Dr. Rukka and the presented MLR NO-PKL/MLC/25/03/1309/AA DT 14/03/2025 the above crime under sections 115(2), 333, 3(5), 351(3) BNS was found to have been committed, after writing an article, the registered case Vikas No. 1365/Panchkula is being sent to the police station. The case should be registered and the number should be informed to the accused. The SHO is busy in investigation at the spot. Today Booth No. 222, Tri City Kathi Roll Sec-25 Panchkula. sd/- Sushil HC Police Post Sec-25 Panchkula Date 15-03-2025 at. 05.30 pm Today Police Station: On receipt of the above article in the police station of Si. Vikas No. 1365/Panchkula, Case No. 113 dated 15.03.2025 under sections 115(2), 333, 3(5), 351(3) BNS Police Station Chandimandir was registered and the copy of the police along with the original article was given to the coming constable for further investigation and a personal investigator was sent. Copies of the FIR were prepared and sent to the service of Bajaria Post Officer. The Managing Officer was informed about the situation. The record was completed as per procedure. The FIR was registered in the attendance of Si. Amrit Lal No. 89/Panchkula.”

3. Contention
On behalf of the petitioner

Learned counsel for the petitioner contends that the scuffle had admittedly taken place at a public place, which is clear from the CCTV footage in the possession of the police party/Investigating Officer. She would further



contend that 07 injuries as alleged against the present petitioner and co-accused persons are actually simple in nature and have not been declared as grievous in any manner to life.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Ashish Bishnoi, DAG, Haryana accepts notice on behalf of the respondent-State and Mr. Sajal Bansal, Advocate has put in appearance for the complainant. They opposed the prayer for grant of the concession of bail by submitting that custodial interrogation of the petitioner is required to ascertain the facts narrated in the FIR.

4. **Analysis**

Be that as it may, upon a specific query being put by this Court, learned State counsel would submit that as per copy of medico-legal report, 7 injuries are detailed therein, which would clearly make out that there are no external injuries on all of them and all injuries are internal with superficial reddish blue abrasion or pain on various parts of the body but not on any vital organ.

Learned counsel for the respondent-complainant would vehemently oppose the prayer urging that as per the CCTV footage, the petitioner was seen coming in a filmy style and caused injuries on the person of complainant with swords.

As far as contention of respondent-complainant is concerned, the examination of CCTV footage is prerogative of the Investigating Officer, who shall investigate the matter and prepare final report under Section 175(3) Cr.P.C. Qua the injuries having been caused as alleged with the swords, none of the injuries in the medico-legal report is suggesting such hurt having been caused of the grievous nature.



Be that as it may, the petitioner is ready and willing to join the investigation as has been undertaken in the petition leaving this Court to have no reason to deny the said concession of bail.

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

08.04.2025

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