



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

CRM-M-20578-2025

DATE OF DECISION: 21.04.2025

AWADHESH BIND

...PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Shivam Joshi, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)1. Prayer

This petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail in FIR No. 113 dated 15.03.2025 registered under Sections 115, 3(5), 333 & 351(3) OF BNS, 2023, at P.S. Chandimandir, District Panchkula, Haryana. (Annexure P-1).

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

‘Sir, the copy of the complaint is as follows that it is registered at 11.20 AM that I HC am present in the police post when Sandeep Choudhary Sucha Singh resident village Devinagar Sector-3 Panchkula has come present in the police post and submitted a complaint on which no. 51 dated 15-03-2025 was written whose summary is as follows. To, The CP



Panchkula DCP Panchkula Police Post In-charge Sec-25 PKL.

Subject- On dated 14/3/25 in the night 5 to 6 people attacking with swords and sticks, looting. Sir, 1 Sandeep Chaudhary S/o Suchcha Singh am a resident of village Devinagar Sector-3 Panchkula. I have a shop named Tricity Kathi Roll in Sector-25. I was sitting in 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 to give them Rs 5000 for this week and that we take Hafta in the whole of Panchkula. When I refused to pay, they attacked me with swords, sticks and sharp objects. They entered my shop and took about Rs. 15000 money from my pocket and took off the gold chain from my neck and ran away. And they said that start giving hafta and if you will not give, you will have to wash your hands from your life. And ran away after sitting in a swift car. There is also CCTV footage of this case. Which I will make available to you. This Amandeep and others have been committing hooliganism earlier as well. Sir, it is requested that strict action be taken against them. So that there is peace in the city, I shall ever be thankful. thank you sandeep 9646797987

*Proceedings Police- On 15-03-2025 a complaint was received from Sandeep Chaudhary S/o Suchcha Singh resident of Village Devinagar Sector-3 Panchkula Bajria Police Station Chandimandir on WhatsApp group and in this regard a complaint was filed by Sandeep Chaudhary above at the police station on which No. Dasti 51 dated 15/03/25 was filed and due to the facts of the complaint being suspicious the daily diary report was filed to verify the facts and by visiting the spot, the allegations of the complaint were verified and during the verification, Sandeep produced the above MLR NO. PKL/MLC/25/03/1309/AA DT 14/03/2025 in which the doctor has stated total seven injuries on Sandeep in which injury no.1 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.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.3 patient c/o pain and swelling in left elbow. No external mark of injury seen. Adv xray left elbow Ap/lat view and ortho opinion, injury no.4 patient has superficial reddish blue bruise of size 1.0*0.5cm over right hand Ad x ray hand AP/OBL view and ortho opinion, injury no.5 patient c/o pain Diminishing of hearing in left ear gt, No external mark of injury seen. Adv ENT opinion. injury no.6 patient c/o pain in occipital region. No external mark of injury seen. Adv NCCT head and surgeon opinion. injury no.7 patient c/o back of chest. No external mark of injury seen. Adv x ray chest Pa/Ap view and surgeon opinion and nature of injuries after opinion and kind of weapon blunt was reported. During this inquiry, the removal of gold chain and the taking of money was not proved, nor has the demanding money for hafta has been confirmed and on checking the footage of the CCTV camera installed at the scene, it has been confirmed that 4 persons entered Sandeep's shop and assaulted him in the footage. The station house officer of the police station was informed about the situation on phone. After confirming the circumstances, from doctor report and submitted MLR NO-PKL/MLC/25/03/1309/AA DT 14/03/2025 offence under section 115(2), 333, 3(5), 351(3) of BNS was found to be occurred so the complaint is being written and is being sent in the hands of Constable Vikas No.1365/Panchkula to the police station for getting a case registered The FIR number be informed after being registered. I HC am busy doing investigation on the spot. Today at Booth No-222, Tri City Kathi Roll Sector 25 Panchkula. SD/-Sushil Police Post Sector 25 Panchkula Date 15-03-2025 at. 05.30pm Today at the police station the above complaint was received in the hands of Constable Vikas No.1365/Panchkula FIR No. 113 Dated 15.03.2025 Section*



115(2), 333, 3(5), 351(3) BNS Chandi Mandir was registered and case file and original complaint were sent in the hands of the Constable to the investigating officer on the spot for doing further investigation. Copies of FIR will be set by post in the service of officials. The station house officer of the police station was informed in regard to the facts of the case.'

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 the petitioner has no role to play in the occurrence, moreso, the petitioner was neither named in the FIR nor any specific attributions are against him. He has further argued that no recovery is to be affected from the present petitioner. He contends that all the offences constituting the FIR are bailable and non-cognizable except section 333 of BNS. It is his further contention that the police after conducting the enquiry has submitted in its report that there was no snatching of any gold chain or any money from the complainant and the complainant had aggravated the allegations levelled against the present petitioner.

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 Investigating officer vehemently opposes the prayer



for grant of concession of anticipatory bail stating that the whole occurrence was captured in the CCTV camera and the petitioner was driving the car at the time of occurrence which is yet to be recovered from his possession, therefore, prays for dismissal of the petition.

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 and all of them are rather internal with superficial reddish blue abrasion or pain on various parts of the body but not on any vital organ.

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.

Hence, 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

21.04.2025
anuradha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No