



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21937-2025 (O&M)
DECIDED ON: 28.04.2025

DEEPAK LAIAS MATTI

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Nisha Rana, Advocate,
Ms. Asha Rana and Mr. Mukul Chandila, Advocates
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023 with the prayer for the grant of Anticipatory Bail to the petitioner in the case of FIR No. 360 Dated 06.12.2024 under Sections 191(3), 190, 115(2), 109, 351(3), 50, 54, 333 of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 25 Arms Act registered at Police Station Faridabad Old, District Faridabad.

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

“That I, am Vakil Qureshi, resident of House No. 234, Ward No. 8, Sarai Khairati, Old Faridabad. I am 25 years old. | have a meat shop in the Meat Market. Today on 06.12.2024 at 11.57 AM I received a call on my MOB NO 9871219686 from 7011346424, who started threatening me to kill me and started abusing me. And said that today I am coming to your

shop to kill you. In this regard, I had given an application (in Police Station OLD FBD) against (1) Attu S/O Satish (2) Pradeep alias Tiger. After that today on 06.12.2024 at around 2.00 PM, I was at my shop. (1) Pradeep alias Tiger resident of Bhudhena came with a pistol in his hand with him (2) Salman Qureshi S/O Mubeen Qureshi currently resident of Sai 86 came with a pistol in his hand (3) Jafar S/O Kammu (4) Bhubin S/ O Kammu and (5) Attu S/O Satish resident Old Bazar Faridabad and (6) Sonu alias Tiger resident of Bhudhena and with them 20-30 other people came to Bagreha with weapons in their hands. And these people attacked us. In which (1) Pradeep alias Tiger (2) and Salman S/O Mubeen Qureshi both had pistols in their hands and they fired my father Vakil Qureshi with the intention to killing him. The bullet hit his leg and Jafar, Mubeen and Attu, Sonu these people fired at my uncles. In which my uncle narrowly escaped. And the other people there attacked my house with weapons. My grandmother was seriously injured in the attack by the attackers. Seeing the attackers, a huge crowd gathered there and seeing the crowd, the attackers fled from the scene brandishing weapons, we hurriedly took our father to the hospital. It is my humble request to you that strictest legal action be taken against the said culprits. And we are in danger to our life and property from these people, hence you are requested to provide us security. Your kindness will be appreciated. Thank you Applicant Anwar S/O Wakeel Qureshi MOB-9871219686. DATE 06.12.2024 TIME-6.46 PM. Action Police Today on 6.12.2024, I am ASI present at Police Station, Faridabad, that information was received from Police Control Room, Faridabad that a bullet has been fired during a fight in Meat Market Old Faridabad, on which information, I ASI along with HC Surendra 722, CI Sachin 6200, SPO Rajneesh 782 reached the spot of incident, Meat Market Old Faridabad, where a large crowd had gathered. The persons present at the spot were questioned about the fight, who told that some persons had come here, who fought and shot and ran away. Regarding this incident, I ASI informed SHO Sahib

about the incident and SHO Sahib along with staff along with government vehicle HR51GB3029 Bolero driver CT Kapil have arrived at the spot of incident, Meat Market Old Faridabad and the spot of incident was inspected by SHO Sahib and the crime team was seen by ASI was also informed about his arrival at the spot, Meat Market, Old Faridabad, and the spot was secured by C Surendra No 722, Faridabad. In connection with the incident, two ruga were received from Doctor Sarvodaya Hospital, SEC 19, which ASI, on this information, Reaching Sarvodaya Hospital, SEC 19, Faridabad, MLR NOM-106003332400568 dated 6.12.2024, 3187/VP/2024 dated 6.12.2024 of Vakil Qureshi was received, Doctor sahab has written about one injury ON LEFT THIGH ABOUT 1X1 CIRCULAR WOUND NOTED INUPPER PART AT LATERAL ASPECT, and the MLR NOM-106003332400569 Date 6.12.2024, 3185/2024/AC Date 6.12.2024. With regard to Nafeesa, doctor sahab has filed a report of an injury which is No. 1 ABRASION WITH SWELLING OVER UPPER CHEST PRESENT, and 2 application given to doctor by taking opinion of victim Vakil Qureshi and Nafeesa in which doctor wrote UNFIT FOR STATEMENT to both the victims and son of victim vakil Qureshi who told that being an eyewitness of the spot of incident, From contents of the complaint and MLRS, prima-facie offence punishable under section 191(3), 190, 115(2), 109, 351(3) BNS 25-54-59 ARMS.ACT was made out.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as he was neither named in the FIR nor having any connection with the alleged occurrence. He asserts that mere presence of the petitioner at the spot does not mean having

connection with the alleged offence. He further contends that co-accused namely Sunny fired shot which hit Vakil Quresh, who along with Sonu and Pardeep @ Tiger, have already been granted the concession of regular/anticipatory bail by this Court vide orders dated 09.04.2025 (Annexure P-2), 27.01.2025 (Annexure P-7), 06.03.2025 (Annexure P-8), passed in CRM-M-18666-2025, CRM-M-4153-2025 and CRM-M-11447-2025, respectively. It has been further submitted that co-accused namely Sameer Salmani, Paras @ Paalu, Deepanshu, Salman Qureshi, Tushar, Jafar Qureshi have already been granted the concession of bail by the trial Court vide orders dated 22.01.2025 (Annexure P-3), 27.01.2025 (Annexure P-4), 29.01.2025 (Annexure P-5) and 30.02.2025 (Annexure P-6) respectively.

It has been contended on behalf of the petitioner that he is ready and willing to join the investigation and cooperate with the investigation officer concerned.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Chetan Sharma, DAG, Haryana accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail to the petitioner on the allegation that he has supplied illegal weapon to the co-accused which was used for commissioning of the offence.

4. Analysis

Be that as it may, considering the fact that co-accused namely Sunny had fired shot which hit Vakil Quresh, who along with Sonu and Pardeep @ Tiger have already been granted the concession of regular/anticipatory bail by this Court vide orders dated 09.04.2025

(Annexure P-2), 27.01.2025 (Annexure P-7), 06.03.2025 (Annexure P-8), passed in CRM-M-18666-2025, CRM-M-4153-2025 and CRM-M-11447-2025, respectively; co-accused namely Sameer Salmani, Paras @ Paalu, Deepanshu, Salman Qureshi, Tushar, Jafar Qureshi have already been granted the concession of bail by the trial Court vide orders dated 22.01.2025 (Annexure P-3), 27.01.2025 (Annexure P-4), 29.01.2025 (Annexure P-5) and 30.02.2025 (Annexure P-6) respectively in addition to the fact that mere presence of the petitioner at the alleged place of occurrence does not imply any connection to the alleged commissioning of the offence, this Court do not find any reason to decline anticipatory bail to the petitioner at this stage as nothing is to be recovered from him.

Also considering the undertaking given before this Court by learned counsel for the petitioner that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned.

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. 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, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

28.04.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No