



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

135

CRM-M-24805-2025

DATE OF DECISION: 07.05.2025

JAI PARKASH

...PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sanyam Khetarpal, 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 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 93 dated 17.03.2025 under sections 115/190/191(2)/351(3) of BNS (Section 117(2)/333 of BNS, 2023 added later on) registered at P.S. Adarsh Nagar, District Faridabad, Haryana. (Annexure P-1).

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

“To, Respected Officer-in-Charge, Adarsh Nagar Police Station, Ballabgarh (Fari) Subject: Application regarding lodging an FIR Respected Sir, With due respect, it is requested that I, Sandeep Kumar, S/O Shravan Kumar, resident of Vishnu Colony, Ballabgarh (Faridabad), am writing this. On 16.03.2025, a boy named Vipin, who supplies water, abused my father, Shravan



Kumar, in the street due to a tempo being parked there. He then called a person named Krishnapal from Street No. 5 to my house. Krishnapal abused and assaulted my father. When my father and younger brother went to complain about this act to Krishnapal's father at his house, outside the house itself, Krishnapal, his two sons Deepak and Aditya, his nephew Hemant, and the driver Vipin attacked with sticks and rods with the intent to kill. Due to this, my father suffered serious injuries on his head and hands, and my brother got injured in the eye. My father was referred by the Ballabgarh Government Hospital, and he is currently admitted at Metro Hospital, Faridabad. Krishnapal and the other named boys have also threatened to kill all the family members of the house. Therefore, I request you, Sir, to kindly register an FIR and take appropriate action in the above matter. Thank you. Applicant: Sandeep Kumar S/O Shravan Kumar Resident of House No. 75/4A, Vishnu Colony, Ballabgarh Mobile No.: 9871379054 Date: 17.03.2025 Police Station Remarks: Upon receiving the application and reviewing the MLR's contents, an offense under Sections 115(2), 351(3), 191(2), 190 BNS has been found to be committed. Hence, Case No. 93 dated 17.03.2025 under Sections 115(2), 351(3), 191(2), 190 BNS has been registered at Adarsh Nagar Police Station. Copies of the FIR will be sent to higher authorities and the area magistrate. The crime scene will be visited, and further investigation will be conducted. Note: Due to the absence of CC TNS ID of HC Suresh 302/Fari, the case has been registered under the ID of HC Deepak ”

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 was not named in the present FIR and has nothing to do with the alleged offences. He further submits that the petitioner was



a mere driver of the co-accused Krishpal who is into the business of water supply. It is his further contention that co-accused Krishpal and Vipin have already been granted concession of interim anticipatory bail and anticipatory bail vide orders dated 01.04.2025 and 22.04.2025 passed in CRM-M-17675-2025 and CRM-M-20818-2025.

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 as per the CCTV footage, the petitioner was seen present at the spot of occurrence and was causing injuries to the complainant party.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, particularly to the effect that he was not named in the FIR, co-accused persons have already been granted concession of anticipatory bail, nothing is to be recovered from the present petitioner, 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

07.05.2025
anuradha

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