



**212(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRM-M-25893-2025 (O&M)
Date of Decision: 27.05.2025**

MAYANK SHARMA ALIAS MANNU

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No. 62 dated 29.03.2025 registered under Sections 110, 115, 117(2), 190, 191(3), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered at Police Station Faridabad Old, District Faridabad.

2. On 13.05.2025, following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.62 dated 29.03.2025 under Sections 110, 115, 117(2), 190, 191(3), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Faridabad Old, District Faridabad.

Learned counsel for the petitioner, inter alia, contends that all the offences are bailable except Section 110 of BNS, which is not attracted, as neither any of the injury is on the vital part of the body of the victim nor there is any medical opinion with regard to any of the injury being dangerous to life. As such, provisions of Section 110 of BNS have been wrongly invoked just to

make the case as non-bailable. It is further contended that similarly situated coaccused of the petitioner, namely Ved Parkash @ Vedi and Om Parkash @ Bhuri Pehalwan, have already been granted the concession of ad interim anticipatory bail by this Court vide order dated 01.05.2025 passed in CRM-M-23227-2025 (Annexure P-3).

Notice of motion for 27.05.2025.

*To be listed along with **CRM-M-23227-2025**.*

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of one week from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel on instructions from Insp./SHO Shri Bhagwan, submits that in compliance of order dated 13.05.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 13.05.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./Section 482(2) of BNSS, 2023.

5. The petition is accordingly disposed of.

27.05.2025
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No