

2025:PHHC:063029



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

110

CRM-M-25942-2025

Date of decision: May 13, 2025

MANDEEP

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.489 dated 28.10.2024 under Sections 115(2), 118(1), 126(2), 190, 191(2), 191(3), 351(2) of the BNS, 2023, registered at Police Station Sadar Fatehabad, District Fatehabad.

2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case along with other co-accused for allegedly inflicting grievous injuries on the injured. Inviting the attention of this Court to the contents of the FIR (Annexure P-1), learned counsel submits that a plain reading of the same reveals that no specific role has been attributed to the petitioner. It is further submitted that even as per the case of the prosecution, the petitioner was allegedly empty handed even at the time of the occurrence, and therefore, no injury, grievous or otherwise, can be directly attributed to him. Learned counsel has also submitted that the



petitioner is willing to join investigation and extend full cooperation with the investigating agency.

3. Notice of motion.

4. On the asking of the Court, Mr. Rahul Mohan, Sr. DAG, Haryana accepts notice on behalf of the respondent-State.

5. Learned State counsel, on instructions, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel has pointed out that the petitioner has not only been specifically named in the FIR but also a definite role has been attributed to him. He submits, on further instructions, that the petitioner, along with the other co-accused, who armed with lethal weapons, collectively inflicted as many as 9 injuries upon the injured.

6. Upon a specific query regarding the criminal antecedents of the petitioner, learned State counsel, on instructions, has apprised this Court that the petitioner is a habitual offender and is currently involved in 4 other criminal cases – 2 registered under the Indian Penal Code and 2 under the Narcotic Drugs and Psychotropic Substances Act. It has been therefore asserted that this fact significantly aggravates the seriousness of the allegations levelled against the petitioner in the FIR in question.

7. I have heard learned counsel for the parties and perused the relevant material placed on record.

8. *Prima facie* serious and grave allegations have been levelled against the petitioner. The FIR and the subsequent investigation reveal that



the petitioner, in active connivance with the other co-accused, allegedly participated in an armed assault, which resulted in grievous injuries to the injured. Furthermore, the criminal antecedents of the petitioner including his involvement in multiple cases under both the IPC and the NDPS Act cannot be brushed aside. The cumulative effect of the prior criminal history of the petitioner and the allegations levelled against him in the present FIR *prima facie* demonstrates a pattern of disregard for the law and undermines the case of false implication.

9. In view of the foregoing, and considering the gravity of the allegations, specific role attributed to the petitioner and the existence of multiple prior criminal cases against him, the petitioner does not deserve the extraordinary concession of anticipatory bail.

10. Accordingly, the instant petition stands dismissed.

11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 13, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*