

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

102+211

CRM-M-27404-2025 (O&M)
Date of decision: 23rd July, 2025

Satish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Sharmila Sharma, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-**CRM-M-28095-2025**

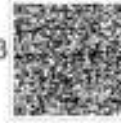
This application has been filed by the complainant for impleading the complainant Manoj Kumar, as respondent No.2 in the main petition.

For the reasons mentioned in the application, the same is allowed. The complainant is impleaded as respondent No.2.

CRM-M-28096-2025

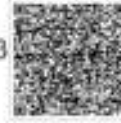
This application has been filed by respondent No.2 for placing on record the copies of MLR, discharge summary and photographs as Annexures R-1 to R-3.

For the reasons mentioned in the application, the same is allowed, subject to all just exceptions. Annexures R-1 to R-3 are ordered to be taken on record.

**Main case**

Prayer in this petition has been made by the petitioner for grant of pre-arrest bail in case arising out of FIR No. 96 dated 08.04.2025 registered under Sections 109(1), 115, 126 and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sector 27, Sonipat, on the basis of statement recorded by respondent No.2-complainant on the allegations that he was having some differences with his wife Meena Rani and she along with their daughter had been residing separately in Sector 15, Sonipat whereas, he was residing in another house in the same sector. He came to know sometime back that his wife was maintaining illicit relations with the petitioner. On the night of 06.04.2025, he had gone to the office of the petitioner to make him understand and when he was going back, he was intercepted by the petitioner, who opened an attack upon him and caused injuries to him with sharp edge weapon with an intent to kill him. He also gave fist blows, kicks and slaps to him. Not even this, with an intent to kill him, he ran over his car on his abdomen and private part thereby causing him serious injuries while assuming that complainant had died, he had then fled. The complainant informed his family members and got admitted in the hospital. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, before the learned Additional Sessions Judge, Sonipat, which was dismissed vide order dated 30.04.2025.

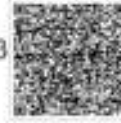
3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, the complainant was under influence of liquor when he was admitted in hospital. No incident as narrated



by the complainant in the FIR had taken place. He has already been discharged from the hospital. There are material inconsistencies in the ocular version as given by the complainant and the medical evidence produced in the form of medico legal report. There is nothing on record to show that the injuries sustained by the complainant had been declared to be dangerous to life. Custodial interrogation of the petitioner is not required. No recovery is to be effected from him. He is ready to join the investigation. It is, therefore, urged that he deserves to be extended benefit of pre-arrest bail.

4. Status report has been filed. It is argued by learned State counsel assisted by learned counsel for the complainant that there are serious and specific allegations against the petitioner. He had physically assaulted the victim on the night of 06.04.2025. Several injuries had been sustained by the victim. He had suffered displaced fracture of lateral wall of left orbit, displaced fracture of frontal processes of maxilla on both sides, fracture of postero-lateral wall of left maxillary, displaced fracture of bilateral basal bones and physical assault with blunt trauma abdomen with hemoperitoneum with mesenteric injury with thrombocytopenia. The injuries so sustained were obviously dangerous to life. While drawing the attention of this Court towards R-3 (*colly*) which are photographs showing the physical condition of the petitioner, it is argued that the intent on the part of the petitioner to make an attempt to kill the victim was apparent and it is, therefore, argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of pre-arrest bail.

5. It will not be out of place to mention here that vide order dated



19.05.2025, the petitioner was directed to join the investigation and as submitted by learned State counsel, he joined the same and also got recovered the car used by him at the time of occurrence.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner is alleged to have assaulted the victim on the night of 06.04.2025. The victim sustained multiple fractures. He was even opined to be unfit to make statement initially. Four of the injuries so sustained by him are opined to be grievous in nature. The allegations against the petitioner are specific and grave. It is well settled proposition of law that even in a case where custodial interrogation of the petitioner is not required, he cannot seek concession as a matter of right. Moreso, it is well settled proposition of law that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses and likelihood of fleeing justice. The Courts are required to be guided by consideration such as nature and gravity of the offences, the role attributed to the applicant and the facts of the case, while considering whether to grant anticipatory bail or refuse it and it is a matter of discretion to grant or not to grant bail. Reference in this context can be made to ***Sushila Aggarwal and others v. State (NCT of Delhi) : (2020) 5 SCC 1***, wherein Hon'ble Supreme Court had observed so. Applying the aforementioned conditions to the present case and keeping in view the nature of the offences alleged to have been committed by the petitioner, the quantum of sentence which the conviction

may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that for conducting thorough investigation in the matter, the custodial interrogation of the petitioner is required. More so, no sparing or extraordinary circumstance has been made out entitling him to seek concession of pre-arrest bail as a matter of right. Accordingly, the petition is dismissed.

[MANISHA BATRA]
JUDGE

23rd July, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |