



CRM-M-32033-2025

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

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CRM-M-32033-2025

Date of decision: 8th July, 2025

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Bhardwaj, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 155 dated 14.03.2025 registered under Sections 110, 115, 118(1), 190, 191(3), 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 117(2) of BNS added later on) at Police Station Gharaunda, Karnal.

2. The aforementioned FIR has been registered on the basis of a complaint lodged by complainant Amit Kumar alleging therein that on the evening of 14.03.2025, he was present in his liquor shop when the accused Happy Rana, Amit Rana, Neelu and Surendra Wig reached there and started arguing with his salesman. They were accompanied by 7-8 unknown youths. The argument was with regard to giving free liquor. The complainant told them that no free liquor was available and then feeling offended, all of them



opened an attack upon him by throwing bricks, empty liquor bottles and striking blows with kicks with intention to kill him and caused injuries on his person. His brother Uttam and his friends rushed to rescue of the complainant and then the assailants fled while extending threats to kill the complainant. After registration of FIR, investigation proceedings have been initiated. During investigation, offence under Section 117(2) of BNS was added.

3. As per the further allegations, during the course of investigation, a pen drive containing CCTV footage of the camera installed at the place of occurrence had been collected. The same showed the petitioner and co-accused while inflicting injuries to the complainant. The petitioner and co-accused Sunil @ Golu and Neelu @ Anil were nominated as accused. Some of the accused were arrested and challan qua them has been presented. Apprehending his arrest, present petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Karnal, which was dismissed vide order dated 27.05.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific role has been attributed to him. Only one grievous injury had been sustained by the victim which is on non-vital part of his body. All other injuries are simple in nature. The members of complainant party were the aggressors and they had extended beatings to the petitioner and his nephew. The petitioner sustained serious injuries. He had moved complaint against the members of complainant party but no case has been registered. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from



him. Therefore, it is urged that the petitioner deserves to be extended benefit of pre-arrest bail.

6. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that there are serious and specific allegations against the petitioner. He had actively participated in the incident. As many as 13 injuries have been sustained by the victim, one of which is grievous in nature. The injuries are on vital part of the body of the complainant. Custodial interrogation of the petitioner is required for conducting thorough investigation in the matter. No extra ordinary or exceptional ground is made out for grant of bail in favour of the petitioner. Therefore, it is urged that the petition does not deserve to be allowed.

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

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that assembly, he is alleged to have caused simple as well as grievous injuries on the person of the victim, who sustained 13 injuries. There are specific allegations against the petitioner. For conducting proper and deeper probe into the matter, the custodial interrogation of the petitioner is required. It is also well settled that the Court must be circumspect while exercising power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As



such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th July, 2025
Parveen Sharma

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