

2025.PHHC:076438



117

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

**CRM-M-32934-2025
DECIDED ON: 20.06.2025**

ARBAZ**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Saleem Ahmad, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.261 dated 27.04.2025 U/s 190, 191(1), 115(2), 118(1), 118(2), 126(1) of BNS registered at Police Station Surajkund, District Faridabad (Haryana).

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

“To the Chowki In-charge, Ankhir Police Post, Faridabad, Sir, it is requested that I, Hanif S/o Subbiresident of village Badkhal, District Faridabad. Yesterday on 26.04.2025, in the morning, I, Hanif and Khalid S/oKhubbi, went on a motorcycle to get milk etc. to Khalid's uncle Samay Singh to BK hospital, who was injured in a fight on 25.04.2025, and was admitted to BK hospital. When we were

returning back to our house around 11:00 A.M, then in front sitting place of Amin S/oManfool, Rizwan son of Sulekha, Sahil son of Suleman, Shamshad son of Ahmed, Arbaaz son of Mashuq, Faisal son ofSattar, Beemta son of Amin etchadattacked upon us by hitting our moving motorcycle and attacked with sticks and sharp-edge weapon. Due to this, I got injured by sticks and rods in my waist and my left hand was hit with a sharp weapon etc. My friend Khalid son of Khoobi got injured in the head and waist. Somehow we managed to save our lives and run away from them. In this fight, Khalid's mobile and my motorcycle were left there. In this, my motorcycle was found and Khalid has still not got the phone. Therefore, it is requested to you that on my request, strict action may be taken against the above mentioned persons. It will be highly grateful to you. SD/ applicant Hanif Mob. 9971988086 dated 27.04.2025.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific injury has been attributed to the petitioner. He further submits that there are total 4 injuries out of which one has been declared grievous in nature and other 3 have been declared as simple in nature. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Surender Singh Pannu, Addl. AG, Haryana, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner gave injuries to the complainant and therefore, his custodial interrogation is required.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that no specific injury has been attributed to the petitioner and nothing is to be recovered from the petitioner, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 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 a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

20.06.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

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