

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33244-2025
Reserved on: 02.09.2025
Pronounced on: 12.09.2025

SUKHPAL

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Shubham Rana, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Ram Kumar Saini, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
69	03.06.2025	Sahazadpur, District Ambala	110/115(2)/117(2)/190/191(3)/351(2) of BNS, 2023

1. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. Per paragraph 12 of the bail petition, petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date/Year	Offenses	Police Station
1.	211	2021	323/34 and 506 IPC	Sahazadpur
2.	247	2022	323/34/506 and 325 IPC	Sahazadpur

3. Vide order dated 25.06.2025, the petitioner was granted interim bail by this Court, which is continuing till date.

4. The facts and allegations are being taken from the order dated 19.06.2025 passed by the Additional District and Sessions Judge whereby the bail of petitioner was rejected, which reads as follows:

“Complainant Lalit son of Ravinder Kumar moved a complaint to the effect that he is resident of village Bibipur and has been studying in Polytechnic College, Ambala City. Accused Mohit and Rohit both sons of Sukhpal used to carry grudge against him. On 27.03.2025, Mohit and his family members indulged in a fight with them regarding which, a complaint was moved by his father in police station Shahazadpur. On 03.06.2025, at about 10:00 AM, he

was present at his house. Accused Mohit was hurling abuses to him. When complainant asked the reasons of abuse from accused Mohit, accused Mohit attacked upon complainant by his iron hammer. Thereafter, accused Rohit came with a kassi/spade and gave a direct blow of spade on complainant's head with an intention to kill him. That blow hit on the right side of complainant's head. Thereafter, accused Rohit again made the second blow of spade resulting in falling of complainant in street. Thereafter, accused Rohit gave multiple blows of wooden binda of spade on the person of complainant. On hearing the noises, complainant's tau (paternal uncle Rajender Kumar and others gathered at the site. On seeing those persons both accused Mohit and Rohit run away along with their weapon.

When police took complainant to CHC Shahazdpur, complainant father and tau were present there. At CHC Shahzadpur, accused Rohit Mohit, petitioner-accused Sukhpal, Anil, Sunil and two unknown boys opened attack on complainant's Ravinder and complainant's Tau Rajinder. Accused Rohit broke the index finger of left hand of complainant's father by using some pointed weapon. Sunil gave a fist blow on the left of eye of complainant's father. Petitioner-accused Sukhpal and accused Mohit strangled complainant's father. They all caused damage at CHC Shahazadpur.”

5. Counsel for the petitioner submits that petitioner was not present at the first incident as per complainant version itself and no role has been attributed to him. However, even in second incident also no role has been attributed to the petitioner. Counsel for the petitioner further submits that he has no objection if any stringent conditions may be imposed while granted bail including surrender of fire arms, if any, and the petitioner would stay away from the property/work place, residence of the victim and they will not pressurize, induce, threaten the victim or his family members and shall not repeat the offence. In case, he repeats the offence or commit any offence where the sentence is more than 07 years, he would have no objection, if State files an application for cancellation of his bail. He further contends that pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.

6. The State's counsel opposes bail on instructions.

REASONING:

7. No specific injury was attributed to petitioner, who is 62 years old, allegations against the petitioner are of strangulation of complainant's father. Petitioner was granted interim bail which is continuing till date and in the interregnum, there is no allegation that he hamper with the evidence or not joined the investigation, as such, no ground for discontinue the interim protection is made out, as such, same is made absolute subject to the condition mention in para No.8 of this order.

8. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation

as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

9. Petition allowed in terms mentioned above. Interim order dated 25.06.2025 is made absolute. All the pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

12.09.2025
renubala

Whether speaking/reasoned:	Yes
Whether reportable:	No.