



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

139

CRM-M-36667-2025

Date of decision: 14.07.2025

Dharmender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Anas Ahmed, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.239 dated 24.10.2024 under Sections 110, 115, 190, 191(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Rampura, District Rewari.

2. Learned counsel for the petitioner has contended that the petitioner has no previous criminal antecedents and that the allegations levelled against him in the FIR, which has been annexed with the petition, are vague and general in nature. It has been further submitted that the injuries allegedly inflicted upon the complainant are simple in nature. Additionally, the learned counsel has drawn the attention of this Court to the fact that co-accused Manjeet and Sahil, purportedly similarly placed, have been granted the concession of bail.

3. Notice of motion.

4. On asking of the Court, Mr. Karan Sharma, DAG, Haryana,



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accepts notice on behalf of the respondent-State.

5. Learned State counsel has, on instructions, vehemently opposed the prayer and submissions made by the counsel opposite and submitted that the petitioner is not identically as the aforementioned co-accused. It has been specifically brought to the attention of this Court that the petitioner is a man of criminal antecedents; he stands implicated in another criminal case involving similar allegations of physical assault. It has been asserted by the learned State counsel that the petitioner has been repeatedly committing such like assaults, and despite being extended the benefit of bail previously in another FIR case, it clearly demonstrates the propensity of the petitioner to misuse the liberty granted to him. It has also been submitted that the petitioner has tried to mislead this Court by making a categorical averment in the petition as well as before this Court that he has clean antecedents and has not been involved in any other criminal case. Learned State counsel has, therefore, prayed for dismissal of the instant petition on this ground as well.

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

7. It is evident that the petitioner has failed to approach this Court with clean hands. It was vehemently asserted by the learned counsel for the petitioner before this Court as well as in the petition that the petitioner has clean antecedents, however, the same is contrary to the record. It is well settled that a person who conceals material facts or relevant antecedents, or who misrepresents facts in order to secure a



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discretionary relief such as bail, disentitles himself from any equitable consideration. The conduct of the petitioner in suppressing the existence of another criminal case involving similar allegations indicates a deliberate attempt to mislead the Court. This assumption of parity with co-accused, while consciously withholding material information, undermines the credibility of the claim of the petitioner and disentitles him from equitable relief.

8. The Hon'ble Supreme Court has time and again cautioned that Courts must not extend discretionary relief to those who do not come to the Court with clean hands. A litigant who approaches the Court with unclean hands must be shown the door. In the present case, the concealment of prior involvement in another criminal case, especially of a similar nature, is not merely incidental but goes to the very root of the *bonafides* of the petitioner.

9. In view of the above and having regard to the specific objection raised by the learned State counsel, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

10. 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.

14.07.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No