

CRM-M-45814-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45814-2024  
Reserved on: 18.03.2025  
Pronounced on: 27.03.2025

Bharti alias Bharti Garg ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ashok Kumar Singla, Advocate  
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Vikas Bishnoi, Advocate  
for the complainant.

\*\*\*\*

ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station                    | Sections                                                                 |
|---------|------------|-----------------------------------|--------------------------------------------------------------------------|
| 74      | 28.03.2024 | City Ratia, District<br>Fatehabad | 323, 324, 341, 506, 34 IPC<br>(Sections 325 & 307 IPC<br>added later on) |

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.

2. In paragraph 8 of the bail petition, the accused declares that he has no criminal antecedents. However, per paragraph 10 of the status report, the accused has the following criminal antecedents:

| Sr. No. | FIR No. | Date       | Offenses              | Police Station |
|---------|---------|------------|-----------------------|----------------|
| 1       | 148     | 22.05.2023 | 323, 294, 506, 34 IPC | City Ratia     |

3. The facts and allegations are taken from the translated copy of the FIR attached to the bail petition, which reads as follows:

*“Statement of Kulvir Singh S/O Randhir Singh S/O Madan Singh, R/O Nathwan, Tehsil Ratia, Age 26 years, Mobile 79101, states that I am No. 83072-resident of the above mentioned address. I am studied till 10th and agriculture. I am doing the On 27.03.2024, work of and my I friend*

CRM-M-45814-2024

*Ravinder Singh S/O Tarsem Singh, R/O Ward No. 17, Ratia went to village Sukhlampur on my Hero Honda Motorcycle No.HR59D-0369 for some personal work. When we reached Ratia in front of Fatehabad Road Truck Union at around 9/9:30 A.M., then Bharti whose father's known, Kuldeep alias Duppa resident of Khatik Mohalla, name is not son of Kala, Ratia and another boy whose name and address are not known came from behind us on a motorcycle. Bharti was driving the motorcycle. They stopped us by placing their motorcycle in front of our motorcycle and as soon as our motorcycle stopped, Bharti hit Ravinder Singh on left side of stomach, both his arms and with the knife in his hand. When I tried to save Ravinder Singh, Kuldeep alias Duppa hit me below my left shoulder, left underarm, my right arm, wrist and palm with the knife in his hand. The boy whose name and address is not known attacked both of us with bricks. All of them were threatening to kill us and on seeing the people passing by, they ran away from the spot. After that, my friend Rahul son of Bharpur came to know about the fight and admitted us to CHC Ratia for treatment. After that, Dr. Sahib treated us and referred us to MAMC Agroha. Now both of us are undergoing treatment here. Take strict action against Bharti, Kuldeep alias Duppa and the boy whose name and address is not known. The reason was that we had a minor altercation with Bharti and Kuldeep, statement given heard and the same is correct. correct, which is absolutely Sd/- Kulvir Singh, further Attested by Mahender Singh ASI, P.S. City Ratia dated 28.03 2024, police Action. Today police ASI along with SPO- Umed Singh No.43 was in Government work court Ratia when MOHARRAR police station informed through telephone that victim Arvinder son of Tarsem, resident of Ratia, Kulveer son of Nathwan, injured in Sandeep resident a of fight, has been referred from CHC Ratia to MAMC Agroha, take action after obtaining MLR, Rukka CHC Ratia of the above victim. On which I ASI along with police officials reached CHC Ratia, got the MLR of the victims and after reaching MAMC Agroha, got the opinion about the above victim through a written application, Doctor sahib declared the victim fit for statement after getting permission we reached the emergency where the victim Kulbir Singh was found present on his bed. He got his above statement recorded. Every word that was written was read out and explained. Who after reading it himself agreed and signed it in English below his statement, which I verified the same. MLRNO. KD/273/GH RAT/2024 DT 27.3.24 In Dr Sahab has written about a total of 4 injuries. Of which injury no. 1 is blunt and injury no. 2,3,4 are sharp. On Victim Ravinder. MLR NO. 27.3.24 of Kulvir, KD/274/GHRTA/2024 DT total of 3 injuries a have been attributed out of*

CRM-M-45814-2024

*which injury No.1 is by Double edge sharp weapon, injury no. 2 is blunt, and injury no.3 is sharp. The above statement and MLR'S. The above crime is found to be under section 323/324/341/506/34 IPC, then a written complaint/Ruqa is being sent to the police station through SPO Umed No. 43. After registration of FIR, number of the FIR may kindly be informed, I am ASI busy investigating MAMC Agroha. Today MAMC Agroha sd Mahendra Singh ASI Police Station City Ratia Date 28.3.2024 AT. 4.40 P.M."*

4. The petitioner's counsel submits that initially petitioner's mother had also filed a complaint regarding attack on him by complainant's party. He further prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's as well as complainant's counsel oppose the bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

*"ROLE & CULPABILITY OF PETITIONER: -*

*(i) There are serious allegations against the present petitioner-accused Bharti alias Bharti Garg as in the present case, when complainant alongwith injured Ravinder going on motorcycle and at about 9/9.30 pm, when they reached in front of Fatehabad road truck union, Ratia, Bharti (present petitioner-accused) came from behind on a motorcycle alongwith co-accused Kuldeep @ Duppa and Manjot Singh and present petitioner-accused Bharti alias Bharti Garg gave a knife blow in the back and both hands of Ravinder (injured), lateron, injury caused by the petitioner-accused. Later on, when opinion was sought regarding nature of injury, concerned Medical officer opined (Annexure R-3) that injury No. 2 (suffered by injured Ravinder) is 'Grievous in nature as per Clauses (VIII) i.e. Dangerous to life'.*

*(iii) Petitioner has been specifically named in the FIR."*

REASONING:

7. Perusal of the reply dated 12.02.2025 shows that the nature of injuries on person of petitioner are simple in nature. The petitioner was having a knife and inflicted serious injuries on the person of Ravinder including an injury which is opined (Annexure R-3) as dangerous to life. Petitioner's act was very cruel, therefore he is not entitled to bail.

8. A perusal of the bail petition and the documents attached prima facie points

CRM-M-45814-2024

towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. **Petition dismissed.** Interim orders are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)  
JUDGE

27.03.2025  
anju rani

Whether speaking/reasoned: Yes  
Whether reportable: No.