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

CRM-M-62-2025**Date of Decision: 05.02.2025****RISHIPAL****....Petitioner(s)****VERSUS****STATE OF HARYANA AND ANOTHER****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present second petition has been filed by the petitioner under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No.41 dated 12.02.2019 under Sections 323, 324, 307, 326, 506, 34 of IPC registered at Police Station Kunjpura, District Karnal.
2. As per FIR, the allegation against the petitioner is of giving *gandasi* blow on the left hand of injured Krishan s/o Ved Pal, which ultimately resulted into the amputation of the hand.
3. The anticipatory bail filed by the petitioner at the first instance before the Court of Sessions was dismissed and thereupon vide order dated 08.10.2020 passed in CRM-M-31685-2020 (Annexure P-5), the petitioner



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below for seeking **regular bail**. Obviously, this Court did not relegate the petitioner to the Court of Sessions rather it was the permission sought by the petitioner and on that account, the petition was allowed to be withdraw. Instead of surrendering before the Court or to the investigating officer, petitioner has succeeded in evading the process of law since the time of registration of FIR i.e. 12.02.2019 and by taking one excuse or the other, is making attempt to get the order of anticipatory bail.

On 08.01.2025, following order was passed:-

‘1. Present second petition has been filed by the petitioner namely Rishipal, aged about 41 years, seeking the concession of anticipatory bail in case bearing FIR No.41, dated 12.02.2019, under Sections 323, 324, 307, 326, 506 and 34 IPC, registered at Police Station Kunjpura, District Karnal.

2. Counsel for the petitioner submits that in the FIR, role attributed to the petitioner is of giving gandas blow on the wrist of Krishan son of Ved Pal (brother of the complainant – Prithvi Singh), resulting into the amputation of the hand.

3. The anticipatory bail application earlier filed by the petitioner before the Sessions Court was dismissed, and on filing the bail petition before this Court, petitioner sought withdrawal of the said bail petition, with liberty to file a fresh one again before the Court of Sessions. The petition was ordered to be dismissed as withdrawn, without granting any permission, as was sought by the petitioner. Subsequent bail petition filed before the Court of Sessions was again dismissed being not maintainable, vide order dated 19.12.2024. Hence, the petitioner is again before this Court.

4. For highlighting the changed circumstances, counsel for the petitioner relies upon the statement dated 17.02.2019



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(Challan submitted on 04.03.2021) recorded under Section 161 Cr.P.C. of the injured Krishna Kumar son of Ved Pal, wherein the petitioner has not been attributed with the fatal injury, rather said injury has been attributed to Golu son of Naresh.

5. Notice of motion.

6. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State.

7. List again on 05.02.2025.

8. Let respondent No.2 be served through dasti process, also.

9. Let the Investigation Officer be present along with complete zimni record on the next date of hearing.'

Today, ASI Vijay Kumar is present and on being asked by the Court, he makes it clear that no such accused in the name of Golu s/o Naresh has been arrested in the present case and as per the case of the prosecution, petitioner is the only one who has been attributed with the farsa blow on the left hand of the injured Krishan.

This Court does not find any substance in the submissions addressed by the learned counsel for the petitioner. Rather, it expects the petitioner to surrender before the Court concerned immediately instead of running away from the process.

Accordingly, petition is hereby **dismissed**.

Additionally, it has also been noticed that the FIR was registered about 5 years back and petitioner has not been arrested by police till date. Required steps to arrest the petitioner would be taken immediately

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and additionally, the erring officials due to whose laxity the petitioner has succeeded in evading the arrest would be subjected to disciplinary action.

Let a copy of this order be forwarded to the concerned Superintendent of Police.

February 05, 2025

Sangeeta

(SANJAY VASHISTH)
JUDGE

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