



CRM-M-70417-2025 (O&M)

-1-

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

103

CRM-M-70417-2025 (O&M)

Decided on: 12.12.2025

NAUSHAD AND ANOTHER**.....Petitioners****Versus****STATE OF HARYANA****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Bhupender Singh, Advocate for the petitioners.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Rahul Rathore, Advocate for the complainant.

**********SUBHAS MEHLA, J. (Oral)**

1. The present petition has been filed under Section 482 BNSS, 2023 seeking grant of anticipatory bail to the petitioners in case bearing FIR No.403 dated 06.11.2025 under Sections 190, 191(3), 115, 126(2), 324(4), 351(2), 333 of BNS registered at Police Station Kunjpura, District Karnal.

2. Brief facts of the case are that the present FIR has been registered upon the complaint of Yogesh stating that while working in sand-mine of Shergarh Tapu, on 06.11.2025 at about 9:00 AM, some miscreants namely Farukh, Naushad (the present petitioners), Junaid, Tasim, Anwar and 15-20 other persons came there in a Creta Car, motorcycles and scooties. Co-accused namely, Junaid and Farukh stopped their machine and beat the driver of the machine. They also beat



the complainant as well as other workers of the mine, and hence has caused a loss of Rs.3-4 lakh by stopping the work. They also threatened to kill the complainant as well as other workers as the accused pressurized the employees of sand mine to load sand in their vehicles free of cost, and they refused to do the same.

2. Learned counsel for the petitioners contended that the petitioners have been falsely implicated in the present case. It is further contended that the land of the petitioners and that of opposite party is situated on the bank of river. The firm of the complainant used to do mining from the land of the petitioners and others because no land is marked by the government for mining. The petitioners along with others especially Sarpanch of the village namely Farukh went to the office of the complainant to ask them to get done the demarcation of their land for the purpose of mining and nothing as alleged has occurred at the spot. The petitioners are ready and willing to join the investigation.

3. Notice of motion.

4. Mr. Ramender Singh Chauhan, AAG, Haryana, who is present in Court, accepted notice on behalf of respondent-State whereas Mr. Rahul Rathore, Advocate has put in appearance by way of filing memorandum of appearance on behalf of the complainant.

5. Learned State counsel opposes the grant of anticipatory bail to the petitioners on the ground that the petitioners have been specifically named in the present FIR. He however does not dispute the fact that alleged offences qua the present petitioners are triable by the Magistrate



and the maximum sentence for the said offences is upto 07 years. He also did not controvert the fact that the petitioners are having clean antecedents.

6. Heard.

7. Keeping in view the contentions made by learned counsel for the parties, that offences in the present FIR are triable by the Magistrate and the maximum punishment for the alleged offences provided under the relevant provisions of law is 07 years; the petitioners are having clear antecedents and are not involved in any other case except the present case; the petition is disposed of with a direction to the petitioners to join the investigation, as and when required by the Investigating Officer and as the offences in the present case are punishable upto 07 years, the Investigating Officer is directed to follow the directions of the Hon'ble Supreme Court in *Arnesh Kumar vs. State of Bihar and Another (2014), 8 SCC 273* and *Satender Kumar Antil v. CBI, (2022) 10 SCC 51*.

8. The present petition stands disposed of.

(SUBHAS MEHLA)
JUDGE

12.12.2025

Sonia Puri

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO