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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

169

CRM-M No.31264 of 2026
Date of decision: 27.05.2026

Gourav

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Tarun Sharma, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0753	11.12.2025	Gharaunda, District Karnal	115, 118(1), 126, 190, 191(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") (118(2), 3(5) and 238 of BNS added later on and 190 and 191(3) of BNS deleted later on)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Satpal alleging therein that on the evening of 09.12.2025, his son Harsh was coming back to his house and when he was in the outskirts of their village, he was intercepted by the present petitioner and the co-accused who were armed with weapons and opened an assault upon his son with an intent to kill him. The petitioner had struck a blow with gandasi on the head of his son. The co-accused caused injuries with rods on his person. He had fallen down and while considering him to be dead, the assailants fled from the spot. He alleged that the petitioner and co-accused had assaulted his son in the past also. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Karnal vide order dated 13.05.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of two days in reporting the matter to the police which has not been explained. Infact, the FIR of this case is a counter blast to the FIR No.506 dated 01.08.2022 lodged against the victim Harsh and his family members. During the course of investigation, eight of the persons named as assailants have

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been found innocent and their names have been ordered to be deleted. The petitioner was not present at the spot at the time of occurrence and he was at Village Barsat along with his friend. His friend has also sworn an affidavit in this regard. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

4. Notice of motion.

5. Ms. Himani Arora, DAG, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted by her that there are serious allegations against the petitioner who in connivance with the co-accused had voluntarily caused simple as well as grievous injuries to the victim. For the purpose of conducting thorough investigation, his custodial interrogation is required. There is no exceptional and extraordinary circumstance to extend benefit of pre arrest bail to the petitioner. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have assaulted the son of the complainant and to have caused simple as well as grievous injuries to him. The injury which has been attributed to him is grievous injury caused by gandasi. The victim has sustained several injuries. Taking into consideration the nature of the accusations as levelled against the petitioner, his prima facie active complicity in the

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crime, this Court is of the considered opinion that the custodial interrogation of the petitioner is required. More so, the powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.05.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No