



CRM-M-33126-2025

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102

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

**CRM-M-33126-2025
DECIDED ON: 18.03.2026**

DEV VERT**.....PETITIONER****VERSUS****STATE OF HARYANA AND ANOTHER****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Shivansh Malik, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in case, FIR No.207, dated 18.05.2025, under Sections 115, 118(2), 126, 190, 191(3), 351(3) and 61 of BNS, registered at Police Station Shivaji Colony, District Rohtak.

2. After hearing the submissions addressed by counsel for the petitioner, on 23.06.2025, following order was passed:-

“2. As per the allegations, the injured complainant, namely Harsh, sustained injuries inflicted with a stick and an ice pick (sua) by a group of young boys. One of the accused was reportedly carrying an ice pick and caused an injury to the stomach of the injured, Harsh. However, counsel further contends that the injury was not inflicted on the stomach, but rather on the upper back of the injured complainant.

3. Learned counsel for the petitioner argues that the petitioner, Dev Vert, is an innocent person and is not referred to as Tridev, as mentioned in the complaint or the FIR. The identification of the accused is yet to be conclusively established by the prosecution, and the FIR was lodged after a delay of 30 hours. Thus, the petitioner cannot be considered an



accused solely on the basis of the allegations made in the FIR.

However, while hearing the submissions of the petitioner, the Court observed that before the Court below, the petitioner, Dev Vert, had applied for anticipatory bail and had mentioned his particulars as follows: “Tridev @ Bachi, resident of Sunaria Chowk, Rohtak. As a matter of truth, Dev Vert, son of Sunil Kumar, resident of 869-A/35, Janta Colony, Rohtak.”

In the memo of parties before this Court, the particulars are stated as: “Dev Vert, aged 21 years, son of Shri Sunil Kumar, resident of House No. 869-A/35, Janta Colony, Rohtak, Haryana-124001.”

4. *It has been gathered from the proceedings before the learned ASJ (Vacation Judge), Rohtak, that CCTV footage was played in Court. The Investigating Officer (IO), PSI Vikas, identified the person wearing a black and white checkered shirt with a muffled face in the footage as the present accused/petitioner. It was also mentioned that the petitioner is known by his nickname “Bachi,” which is accurately reflected in the complaint.*

Moreover, a separate statement of the IO was recorded in Court, wherein he stated that the CCTV footage of the incident was shown to the other four co-accused who had already been arrested. In their presence, petitioner was identified as Tridev alias Dev Vert @ Bachi, wearing the checkered shirt with a muffled face. The complainant also identified the accused from the CCTV footage, although he did not come forward to participate in the investigation.

5. *Notice of motion.*

On advance notice, Mr. Rajiv Sidhu, DAG, Haryana puts in appearance on behalf of the respondent – State. He seeks some time to file status report.

6. *Adjourned to 12.08.2025.*

7. *In the meantime, necessary steps would be taken by the Investigating officer for establishing the identity of the main accused, who so ever is involved and attributed the injury in the stomach/upper back and same be reflected in the status report.*

8. *Till the next date of hearing, arrest of the petitioner shall remain stayed. However, the issue of the petitioner’s joining the investigation will be examined after considering the reply of the respondents.”*



3. Counsel for the petitioner contends that there exists a serious issue regarding identification, as well as discrepancies in the injury description as recorded in the FIR. It is submitted that no injury was noticed on the person of the injured, namely Harsh, at the time of initial recording of the FIR.

4. As per the medico-legal report appended with the reply dated 31.07.2025 filed by learned State counsel, only one injury was found, i.e., a deep puncture wound located below the backside of the neck near the first thoracic vertebra, with active bleeding present. The said injury was opined to have been caused by a sharp-edged weapon and was declared grievous in nature.

5. Counsel for the petitioner further submits that the allegation is of causing injury with an ice pick (*sua*), which is a pointed instrument. Thus, in view of the discrepancy regarding both the nature of injury and the weapon allegedly used in the commission of the offence, involvement of the petitioner becomes doubtful.

It is, however, submitted that petitioner is ready to join the investigation and fully cooperate with the investigating agency, if granted protection from arrest by this Court. Thus, prayer is made for grant of anticipatory bail to the petitioner in the present case.

6. On the other hand, learned State counsel submits that custodial interrogation of the petitioner is necessary for the purpose of effective investigation and, therefore, prays for dismissal of the present petition.



7. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available before it.

8. Although the injury recorded in the medico-legal examination report has been declared grievous, but nothing has been pointed out by learned State counsel that any of the injury suffered by the injured Harsh was opined to be dangerous to life.

9. In view of this, **this Court deems it appropriate to dispose of the present petition**, by directing the petitioner to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

10. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

11. However, it is clarified that if the petitioner fails to join the investigation and did not cooperate with the investigating agency, it will be open for the prosecution to move application for cancellation of present bail order.



12. With the directions issued here above, present petition stands disposed of.

18.03.2026
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>