



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

112

CRM-M-65376-2025
Date of decision: 10.03.2026

MANISH KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Pardeep Panwar, Advocate
for the petitioner.

Ms. Chhavi Sharma, Asstt. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 482 of the BNSS, 2023 for grant of pre-arrest bail to the petitioner in case bearing FIR No.49 dated 28.02.2023, under Sections 148, 149, 201, 323, 325, 307, 379-B, 452, 506 of Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Tigaon, District Faridabad.

2. The FIR in the present case has been registered on the complaint of one Rampal son of Pritam Singh which reads as under:-

“That on 27.2.2023 at about 9:00 p.m., he was present at his house, meanwhile, Manoj son of Perhlad, resident

of Sidola came to his house under the influence of liquor and started abusing him without any reason. When he (complainant) resisted, Manoj went to his home. After sometime, Bharti son of Perhlad, Satish, Ravi, Nehpal, sons of Bharti, Amit son of Singhraj, Mahavir son of Perhlad, Sunil son of Bishram, Anil son of Bishram, Deepak son of Mahender, armed with lathies, dandas, axe, sword, iron rod came and started assaulting the complainant. Nehpal, who was armed with sword, gave blows on the face and leg of complainant. Remaining accused gave lathi and danda blow. Deepak and Anil, who were armed with country made pistols, fired upon the complainant in order to kill him but complainant somehow saved himself. When his wife Kashmiri tried to rescue the complainant, Satish gave a lathi blow to her and he also snatched gold chain and earrings of his wife. Thereafter, assailants fled away from the spot threatening to kill them. Complainant further alleged that Lalit son of Pritam, Manisha wife of Lalit, Krishan son of Shyoli, Shivam son of Ram Pal, Pritam son of son of Shyoli, Harbir son of Sher Singh, Rahul son of Hansraj have also received injuries in the quarrel. Thereafter, injured were got admitted in hospital.

3. Learned Counsel appearing on behalf of the petitioner has argued that the petitioner was arrayed as an accused on the disclosure statement made by co-accused Deepak who has already been granted regular bail. A further averment has been made in the present petition that the petitioner has no criminal antecedents. The para No.7 in this regard reads thus:-

“7. That there is not any other case registered or pending against the petitioner. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the

Court or to any police officer. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.”

4. It had also been stated that petitioner shall join investigation as and when required to do so. It was also vehemently argued that the petitioner is a B.A. Final Year Student and his entire future shall be gravely jeopardized.

5. Considering the aforesaid circumstances, an interim was granted after noticing that it was allegedly a dispute arising out of parking of bullock-cart in the street and that the dispute is *inter se* between the extended family members.

6. On resumed hearing, learned State Counsel, on instructions from Sub Inspector Ashok Kumar, Belt No. 2463, FBD, Crime Branch Central Faridabad, contends that the co-accused Deepak had been granted concession of regular bail. He submits that it had transpired during the investigation that the gun shot was actually fired by the petitioner and that recovery of the weapon used in the commission of the offence is yet to be made. The petitioner has not been extending cooperation in this regard. She further contends that the petitioner had concealed his criminal antecedents and that he is involved in three other criminal cases. The details of the same are as under:-

- i. FIR No. 249/2015 u/s 399, 402, 482, 120B IPC and 25-54-59 of Arms Act, PS Alwar Gate, Ajmer, Rajasthan. Petitioner is on bail in this case. That the chargesheet has been filed in this case and case is pending.

- ii. FIR No. 346/2017 u/s 147, 323, 395 and 397, PS Jewar, Gautam Buddh Nagar. Petitioner is on bail in this case. That the chargesheet has been filed in this case and case is pending.
- iii. FIR No. 411/2024 u/s 25 of Arms Act, PS Camp, Palwal. Petitioner is on bail in this case. That the chargesheet has been filed in this case and case is pending.”

7. It is hence evident that the petitioner had made an incorrect disclosure, on an affidavit, in the petition filed before this Court notwithstanding that the High Court Rules & Orders mandate that all criminal antecedents are required to be disclosed. The Police report further shows that there were total 17 persons nominated as an accused and that three persons were found innocent. Out of remaining 14 accused, 13 accused were granted regular bail. No reasons have been given by the Counsel as to why fair disclosure has not been made.

8. It needs no reiteration that any litigant seeking discretionary relief from Court must approach the Court with clean hands. Criminal antecedents of a person have a bearing on the possible outcome of the case. Withholding of such information may deprive an individual of discretion. Besides, he has also not been able to make out any case as to why anticipatory bail be extended to him especially when allegation of firing the shot is against him.

9. Taking into consideration that the petitioner has not approached this Court with clean hands and has made a false declaration with respect to his criminal antecedents and that he is also not extending cooperation to the

investigation, he does not deserve the concession of anticipatory bail. The present petition is accordingly **dismissed**.

MARCH 10, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No