



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

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CRM-M-74042-2025

Date of decision: 14.01.2026

KULDEEP

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

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

Present: - Mr. Ankur Lal, Advocate
for the petitioner.

Dr. (Ms.) Malvika Singh, DAG, 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.323 dated 21.11.2025 registered under Sections 191(2), 190, 115(2), 118(1), 118(2) AND 117(2) of BNS, 2023 (Section 115(2) and 118(2), 117(2) of the BNS were added later on and Section 115 of the BNS was deleted) at Police Station Dharuhera, Rewari.

2. Briefly stated the case of the prosecution registered on the complaint of Hansraj is that he works at the Ministry of Home Affairs, Delhi. On 17.11.2025, when he was returning home after duty, his vehicle

HR 36 AM 6097 developed some problem. To get it repaired, he went to

Dharuhera. When he got the vehicle repaired and was returning home, near Dharuhera Bus Stand on Jaipur-Delhi Road, he stopped near his companion Parvez. There was an argument going on between Parvez and Kuldeep. He asked them why they were fighting. In anger, Kuldeep broke a beer bottle on him and injured his head and left hand. After that, Kuldeep started to run away from there, but the complainant caught him. Then Kuldeep called his brother and 6-7 other companions there. All of them beat the complainant with kicks and punches and ran away from there. The complainant's companion admitted him to Paras Hospital, Gurugram for treatment. This entire incident occurred at 08:15 PM and thus the present FIR came to be registered against the petitioner.

3. Learned counsel appearing on behalf of the petitioner vehemently contends that the case was initially registered only for offence under Section 324 of the IPC, however, later on offence under Section 118(2) of the BNS has been added. He contends that the petitioner has been falsely implicated in the aforesaid case and his custodial interrogation is not required. It is submitted that in the event the allegations levelled by the petitioner about the injury having been caused with a bottle is accepted, the said bottle should have been shattered into pieces and could not have been recovered from the petitioner and its pieces would be lying at the place of occurrence itself, however, no such recovery has been effected, hence, the allegations fail to inspire confidence.

4. Learned State Counsel on the other hand contends that the petitioner has criminal antecedents and is also the sole accused. She contends that the victim has suffered two fractures in the spinal vertebrae L2 and L3. It is also submitted that apart from the present case, the petitioner is

also involved in case FIR No. 82 dated 17.03.2023 registered under Sections 302 and 34 of the IPC. She contends that the petitioner is the sole accused in present case and the grievous injuries have been attributed to him. It is contended that the repeated involvement of the petitioner clearly shows that he is indulging in repeated incidents of crime in pursuit of nefarious activities.

5. I have heard learned Counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition as also the arguments advanced by the respective parties.

6. It is not in dispute that the petitioner is the sole accused and two injuries have been attributed to him. Besides, it is also not in dispute that the petitioner is also involved in an offence under Section 302 of the IPC and notwithstanding his earlier involvement, he has indulged in yet another offence of causing grievous injury (fracture to the vertebrae) of the complainant. The injuries in question are on vital body part. It is not an absolute principle that if injuries are caused with the help of a broken beer bottle, it shall always shatter. It all depends on the part that is used and the manner of its usage. Besides, the injuries are not disputed & there is no motive with the complainant to falsely implicate the petitioner. The petitioner has thus not been able to make out any case for grant of anticipatory bail.

7. The present petition is accordingly dismissed.

(VINOD S. BHARDWAJ)

JUDGE

JANUARY 14, 2026

Vishal Sharma

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