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Pardeep Kumar @ Pankaj

vs.

State of Haryana

Present : Mr. Bhagwat Dayal Sharma, Advocate for the petitioner.

Mr. Rajiv Sidhu, Senior DAG, Haryana.

The petitioner has filed the instant petition under Section 483 of Bhartiya Nyaya Suraksha Sanhita, 2023 (for short BNSS, 2023) [prior Section 438 of Cr.P.C.] with a prayer to grant regular bail to him in case FIR No.02 dated 03.01.2026, registered under Sections 190, 191(3), 126, 324(5), 333, 351(3), 115, 109(1), 238(C) of Bharatiya Nyaya Sanhita (BNS) [corresponding Sections 149, 148, 341, 426, 427, 453, 506, 323, 307 and 201 IPC], Police Station Krishna Gate Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that as per the prosecution case, on 02.01.2026, a *Rukka* was received in Police Post Subhash Mandi, Kurukshetra regarding the admission of Pankaj, injured in LNJP Hospital, Kurukshetra. On receiving the information, the police reached the said hospital and obtained the MLR and moved an application before the concerned doctor for getting the status of the injured. On this, the doctor informed the police that injured had left the hospital. Later on, the injured/complainant himself appeared before the police and moved an application that on 02.01.2026, he had left his home for some bank work and he was attacked by the petitioner and his accomplices. After the receipt of *Rukka*,

MLR No. ANJ 05/2026/KKR, dated 02.01.2026 was obtained from Government Hospital, Kurukshetra, wherein the following injuries were noticed:-

1.	<i>C/o Hedache. No external mark of fresh injury seen. Advise NCCT head and Surgeon opinion.</i>
2.	<i>C/o Chest pain with no external mark of injury seen. Advise Surgeon opinion.</i>
3.	<i>C/o pain over right shoulder with no external mark of fresh injury seen. Advise X ray and Ortho opinion.</i>
4.	<i>C/o pain abdomen with no external mark of fresh injury seen. Advise USG and Surgeon opinion.</i>
5.	<i>C/o bachache with no external mark of fresh injury seen. Advise X ray LS Spine and Ortho opinion.</i>
6.	<i>Abrasion of size 2x2cm present over right knee. Advise X ray and Ortho opinion.</i>

Thereafter, it was found that the injured Pankaj was admitted in Shri Balaji Aarogyam Hospital, Kurukshetra. During the course of investigation, the Incharge, Police Post, Subhash Mandi, Kurukshetra moved an application before the Medical Officer, Shri Balaji Aarogyam Hospital, Kurukshetra, on 04.02.2026 and the Medical Officer had given the following opinion:-

“Patient Pankaj presented to us with alleged history of physical assault. O/E thee was reduced air entry to right side of chest which was confirmed on HRCT Chest as right side pneumothorax intra coslel tube thoracostomy was done for same. This injury without surgical intervention is dangerous to life .”

Thereafter, the Incharge, Police Post,, Subhash Mandi, Kurukshetra had added the offence under Section 109(1) of BNS in the present case.

From the report prepared by the Medical Officer, Aarogyam Hospital, Kurukshetra, it is apparent that the medical record in the present case as well as the opinion has been manipulated by the said doctor, who had given the opinion in the present case.

Before proceeding any further against the said doctor, the SHO, Police Station Krishna Gate, Thanesar, Kurukshetra is directed to produce the said doctor before this Court on the next date of hearing. The concerned doctor is also directed to produce the complete medical record of Aarogyam Hospital, Kurukshetra, on the next date of hearing.

Adjourned to 01.09.2026.

The petitioner, who is stated to be in custody since 04.01.2026, is ordered to be released on interim bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

25.08.2026
Sunil

(N.S.SHEKHAWAT)
JUDGE