

CNR No: PHHC011457022026
2026:PHHC:128046



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

CRM-M-49514-2026 (O&M)
Date of Decision: 10.09.2026

Bablu @ Jashan Thakur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Parminder Walia, Advocate,
for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

VIKRAM AGGARWAL, J (Oral).

The prayer in the present petition preferred by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') is for the grant of anticipatory bail in case FIR No.56 dated 24.07.2026, registered at Police Station Talwara, District Hoshiarpur, under Sections 118(1), 126(2), 190 and 191(3) of the BNS (Section 118(2) of the BNS added later on).

2. Short reply by way of affidavit of Shri Hargurdev Singh, Deputy Superintendent of Police, Sub-Division Dasuya, District Hoshiarpur, filed in Court today, is taken on record.

3. On the statement of one Taksh Chaudhary, the FIR in question was registered, the translated version of which (as given in Annexure P.1), is as under:-

“Statement of Taksh Chaudhary son of Birbal resident of Beh Fatto, PS Talwara, District Hoshiarpur, Age about 18 Years, Mobile No. 77101-

32582. I hereby state that I am resident of aforementioned address and I do course in Mechanical Trade at I.T.I. Talwara. On dt. 08.07.2026 as per daily routine I had departed from home at time about 08:00 AM for I.T.I. Talwara. Upon reaching Talwara I came to know that today is holiday at I.T.I. That day was birthday of my friend Abhi @ Bhalwan. Therefore, I and my friends Bharat Singh Rajput son of Kuldeep Singh resident of Bhadiaran, Akash son of Karnail Singh resident of Rajwal, Satish son of Karnail Singh resident of Rajwal and Abhi @ Bhalwan son of Chanan Kumar resident of Riri Kuthera Current R/o my village Beh Fatto had gone at Talwara Daulatpur Chowk by riding on two motorcycles, where, we ate pizza at one shop and then we went at 52 Gate Talwara Park and clicked photos and did videography. Then at time about 12:00 PM I and Satish and Bharat Singh on one motorcycle which is of Bharat Singh and which Satish was riding and Akash and Abhi by riding second motorcycle had departed from there for going back to Talwara. At time about 12:30 PM when we reached near Ravidas Temple then Sahil @ Shalu son of Sukhwinder Singh, Mohit Yamla son of Kuldeep Singh, Aniket Rana son of Vicky residents of Karari, Bablu son of Jaigopal resident of Beh Lakhan alongwith 3 other unidentified youth armed with datars and baseball bats started chasing our motorcycles on their two motorcycles and on I.T.I. Road from Ravidas Chowk T-Point at distance of about 50 Meter they stopped us by surrounding us by stopping their motorcycles in front of our motorcycles and started fighting with all of us. In the meantime, Bablu gave blow of datar, which he was holding in his hand, on my head which hit at right side of my head. Bleeding started from my head and due to grievous injury I started to feel dizzy and fell down on the ground. Then Mohit Yamla son of Kuldeep Singh, Aniket

Rana son of Vicky residents of Karari and unidentified youths gave leg blows to me when I was lying down on the ground. Then Bablu gave blow of his datar at my friend Abhi @ Bhalwan and Abhi suddenly moved backwards and this blow of datar hit on the head of sahil. Abhi also sustained injury and then all afore-mentioned assailants alongwith their weapons fled away from the spot by riding on their motorcycles. Then my friends Akash, Abhi, Bharat and Satish had taken me at BBMB Hospital Talwara on motorcycle for medical treatment, where, I regained consciousness after 3 days and I remained under medical treatment for 5 days and then I was discharged and had come back home. Till now I could not record my statement as I was not well and even today I am not fully fit to sit, stand and walk. Now upon feeling slightly better I have recorded my statement to you. The reason for grudge is that my friend Bharat Singh and afore-mentioned Sahil's brother Sushant had earlier fought with each other at the shop of Nannu Nai (barber shop) at bus stand of Village Karari. Due to this grudge they have fought with us and have inflicted injuries to me. Requested that necessary legal action be taken against afore-mentioned Sahil @ Shalu. son of Sukhwinder Singh, Mohit Yamla son of Kuldeep Singh, Aniket Rana son of Vicky residents of Karari and Bablu son of Jaigopal resident of Beh Lakhan. I got recorded this statement in the presence of my father Birbal son of Lal Singh resident of Behfatto and my friend namely Bharat Singh son of Kuldeep Singh resident of Badhiaran. Statement read, heard and understood, which is correct. Sd/- Taksh Chaudhary.”

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is a huge delay in the registration of the FIR as the incident is

alleged to have taken place on 08.07.2026, but the FIR was registered on 24.07.2026. It is submitted that even as per the reply filed by the respondent, opinion as regards the fitness of the complainant to give a statement, was taken only from BBMB Hospital, Talwara and after the complainant got admitted in the PGI, Chandigarh, no opinion was taken. He submits that even from the PGI, Chandigarh, the complainant was discharged on 12.07.2026, but the FIR was got registered on 24.07.2026.

4.1 It is further submitted that though it is the case of the complainant that he had been referred to PGI, Chandigarh, there is no such document on record, showing that the complainant had been referred to PGI, Chandigarh and in fact, the complainant had been taken to PGI, Chandigarh, by his family members on their own. He further submits that co-accused, Sahil, who was also injured in the incident, has been granted anticipatory bail by the Court of Additional Sessions Judge, Hoshiarpur. He submits that the antecedents of the petitioner are clean. It is further submitted that the petitioner is willing to join investigation and abide by any condition imposed by the Court.

5. *Per contra*, learned State counsel has opposed the prayer for the grant of pre-arrest bail stating that the allegations are very serious. He submits that the complainant was unwell for a number of days and even thereafter, as per the record, he could not give a statement because he was feeling unwell. Learned State counsel submits that the injury inflicted by the petitioner on the head of the complainant with a sickle (*datar*),

has been declared to be a grievous injury. He submits that under the circumstances, the petitioner does not deserve to be extended the concession of anticipatory bail.

6. I have considered the submissions made by learned counsel for the parties.

7. The medical report of the complainant has been placed on record as Annexure R.1 along with the reply filed by the State. It shows that there was an incised wound of size 5 cm on the right parietal region of the complainant. The wound margins were found to be sharp and the wound was bone deep. The said injury has now been declared to be grievous, which is alleged to have been caused by the petitioner with a sickle (*datar*). Annexure R.3 annexed with the reply filed by the State, shows that the Investigating Agency, sought the opinion of the treating Doctor at BBMB, Hospital, Talwara, as regards the fitness of the complainant to make a statement. However, it was opined that the complainant was semi conscious and was, therefore, unfit to make a statement. In the said very document, it has been stated under the signatures of the treating Doctor that the patient had been referred to PGI, Chandigarh for further management. Thus, the argument of learned counsel for the petitioner that no such referral was there and the complainant was taken to the PGI, Chandigarh by his family members on their own, falls to the ground.

8. The discharge summary of the PGI annexed as Annexure R.4, shows that the complainant was admitted in PGI

on 09.07.2026 and was discharged on 12.07.2026. The Medico Legal Report (Annexure R.1) gives the history of the patient.

9. No doubt, the FIR in question was registered 12 days after the discharge of the complainant from PGI, Chandigarh. However, it has to be borne in mind that the complainant is also an 18-year old boy, who was in a semi conscious condition when he was referred to PGI, Chandigarh. Therefore, at this stage, the delay would not help the petitioner.

10. This Court is of the considered opinion that keeping in view the nature of injury alleged to have been inflicted by the petitioner upon the complainant, there is no reason to extend the concession of anticipatory bail to the petitioner.

11. That being so, the present petition is found to be devoid of merit and is accordingly dismissed.

(VIKRAM AGGARWAL)
JUDGE

10.09.2026
ds

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No