



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

CRM-M No.51146 of 2024
Date of decision: 18th October, 2024

Sarabjit Singh
... Petitioner

Versus

State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vikas Gupta, Advocates for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 BNSS in case FIR No.118 dated 27.08.2024 under Sections 118(1), 118(2), 351(2) of the BNS 2023 registered at Police Station Jhabal, District Tarn Taran.
2. Learned counsel for the petitioner contends that there has been an inordinate delay of more than 21 days in the lodging of the FIR in question, which leaves no manner of doubt that a false and fabricated case has been planted upon the petitioner. Learned counsel submits that the injuries attributed to the petitioner are with a Sword on the non-vital parts of the body of the complainant and his servant.
3. I have heard learned counsel for the petitioner and perused the relevant material on record including the FIR (Annexure P-1), which has been reproduced herein below:

*"Statement of Tejwinder Singh S/o Aroor Singh, resident of Baghel Singh Wala, Jhabal, Police station Jhabal, District Tarn Taran, aged about 43 years, Mobile Number 94642-96297. It is stated that I am resident of abovementioned address and does work of agriculture. That on dated 05.08.2024, my servant namely Ranjit Singh S/o Harpal Singh, resident of Rasulpur, Police Station Sarai Amanat Khan, District Tarn Taran, who has been working with me for the past 10 years, went for turning the water to the field. Then our neighbour namely **Sarbjit Singh** S/o Lakhvinder Singh, resident of Baghel Singh Wala, Police Station Jhabal, surrounded my servant and gave beatings to him, wrapped a cloth around his neck and kept swinging him. My servant somehow managed to escape and came to my house, saving his life from **Sarbjit Singh**. On 06.08.2024, my servant namely Ranjit Singh and I were spraying in our field, when **Sarbjit Singh** S/o Lakhvinder Singh, resident of Baghel Singh Wala, arrived there and started abusing and issuing threats to us. He threatened us by saying that he would return with weapons from his house and teach us a lesson for not paying him more money for the field. Since we were unarmed, we began heading back to our house. On the way, **Sarbjit Singh**, armed with a kirpan, confronted us and gave direct blow of kirpan on me, raised my left arm to save myself and he hit the direct kirpan blow on my hand, resulting in a deep wound on my wrist. My brother namely Mahabir Singh was standing nearby, who came forward and stopped him, but **Sarbjit Singh** attacked him too. Our servant namely Ranjit Singh, stepped forward to block the kirpan and the kirpan blow hit on his left palm*

*and wrist. There passersby and a crowd gathered then **Sarbjit Singh** ran away from the spot alongwith his respective kirpan. The reason behind grudge is that we had purchased one acre of land from **Sarbjit Singh**, for which at that time I had paid him Rs. 20 lakhs. Now, citing the increased value of the land, he is demanding more money from me. Due to this reason, on 05.08.2024, he gave beatings to my servant namely Ranjit Singh and on 06.08.2024, at around 7 - 7:15 AM, he inflicted injuries both on me and my servant namely Ranjit Singh. Till now, common people of the villagers and respected individuals tried to get the matter compromised, which could not be succeeded.”*

4. A perusal of the FIR clearly reveals that it was a premeditated attack carried out by the accused party including the petitioner who came to the spot armed with lethal weapons and without any provocation assaulted the servant of the complainant. The complainant party was extended threats of dire consequences and thereafter, the petitioner, who was armed with a Kirpan, inflicted injuries on the wrist of the complainant, which cannot be said to be a non-vital part of the body. Furthermore, even servant of the complainant, who rushed to the rescue of the complainant, was not spared and he too was inflicted injuries with a Kirpan by the petitioner. Still further, the contention of the learned counsel for the petitioner that there was an unexplained delay of 21 days in lodging of the FIR, would not enure to his benefit as admittedly, the complainant as well as his

servant were promptly taken to the hospital where they were medico-legally examined on the same day of occurrence. Still further, in the FIR, it also stands recorded that respectables of the village were trying to get the matter compromised between the parties and that was also one of the reasons for the delay in lodging of the FIR in question.

5. In the facts and circumstances as enumerated hereinabove, coupled with the mode and manner in which the crime was executed, and also the nature of weapons used, the petitioner does not deserve the extraordinary concession of anticipatory bail. The petition stands dismissed in limine. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

October 18, 2024
rps

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