



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-53903-2024
Date of decision: October 29th, 2024

Parveen Kumar @ Deepak Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jaskirat Singh Dhaliwal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in FIR No.60 dated 30.05.2024 under Sections 323, 324, 148, 149, 325, 326, 201 of the IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He was not even present at the place of occurrence and hence, there was no question of the petitioner inflicting any injuries upon the complainant. A prayer has, therefore, been made for extending the concession of anticipatory bail to the petitioner.

3. I have heard learned counsel for the petitioner and perused the relevant material on record including the allegations levelled in the FIR, which has been annexed as Annexure P-1 and stands reproduced hereinunder:-



*“Copy of Statement, Statement of Sachin Kumar son of Ashok Kumar son of Sultan Singh resident of Jodh Singh Wali Gali, Ward No. 12 Giddarbaha aged about 47 years Mob: 94179-85094 stated that I am a resident of the said address and working as a laborer. I am married and I have three children, my eldest son is named Paras who is 21 years old and he is married. Yougher to him is daughter whose name is Prerna, whose age is 20 years who is still unmarried. One of my shops which is near Natha's well is vacant. About two months ago, I had rented this shop to **Deepak Kumar**, son of Murari Lal, resident of Yodh Singh wali Gali Giddarbaha, for 1500 rupees per month and gave ten thousand rupees for work needs. But since **Deepak Kumar's** business was not running, he returned the key of my shop to me. When I asked for the money I had given, **Deepak Kumar's** wife and **Deepak Kumar** and his other family members came and said that when we have the money we will return the same. If it happened, I will return it. On 28.05.2024, at around PM, when I reached in front of Gurdwara Nanaksarwala, **Deepak Kumar**, son of Murari Kumar, was accompanied by 10/12 young men who had Kappa and Swords. **Deepak Kumar** said that we will give you the taste of asking for money. In the meantime **Deepak Kumar** hit me with Kapa which I tried to defend and it hit on middle finger of my right hand. Honey son of Kaka resident of Bentabad hit me with Kirpan which hit on left thigh then third time Sanjay Kumar son of Krisan Kumar hit me with his Kapa which hit on my left knee then for the fourth time Abhi Arora son of Kamal Arora hit me with his kirpan which hit on my left arm wrist. Then for fifth blow **Deepak Kumar** son of Murari Lal hit me with his Kapa which hit me on the head, then the sixth time Prince Kumar son of unknown hit me with his kirpan which hit my left shoulder, then the seventh time I got hit by Gattu son of Hari resident of Bentabad struck with his*

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*kirpan which hit the left foot. Then the eighth blow by Prince Kumar which hit on my right knee. In the meantime my son Paras and my brother Dharmender Kumar son of Ashok Kumar came to the spot but my brother Dharminder Kumar was also beaten, when I fell down, 4/5 unknown persons also beat me, then I raised hue and cry and people started gathering there and the said persons escaped from there along with their weapons. Then my son. arranged a vehicle and got me and my brother admitted to the Civil Hospital Sri Muktsar Sahib. As I had more injuries, the Civil Hospital SMS referred me to the AAIMS Hospital Bathinda, where the doctor is treating me. The cause of enmity is that I had asked **Deepak Kumar** to return the money I had lent to him, so with the intention of not returning the borrowed money the injuries were caused to me. Appropriate legal action should be taken against the said persons.”*

4. A perusal of the allegations levelled in the FIR clearly reveals that the petitioner has not only been specifically named but there are serious and grave allegations levelled against the petitioner, who accompanied by 10 to 12 of his accomplices, all armed with lethal weapons like swords and *kappas*, without any provocation, inflicted repeated injuries on the person of the injured-complainant. The petitioner has been specifically attributed an injury with a *kappa* on the fingers and head of the complainant. It transpires from the material on record that out of the 13 injuries sustained by the complainant, six of those injuries were opined to be grievous in nature. Furthermore, it would also be pertinent to observe that the petitioner was on bail in two other cases registered under the NDPS Act when he participated in the



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present crime.

5. Thus, in view of the serious and specific allegations levelled in the FIR against the petitioner, this Court is not inclined to extend the extraordinary concession of anticipatory bail to him.

6. The instant petition stands dismissed.

7. 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.

October 29th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No