



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

CRM-M-59170-2024

Date of decision: 27.11.2024

Navdeep Singh @ Bunty

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Narinder Kumar Vadehra, Advocate
for the petitioner.

Mr. Amarjeet Singh, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.38 dated 28.09.2024 under Sections 115(2), 118 of the BNS (Sections 118(1), 118(2) of the BNS added lateron), registered at Police Station Ghuman Kalan, District Gurdaspur.

2. Learned counsel for the petitioner submits that a false and fabricated case has been planted upon the petitioner on account of party politics in the village. It has been submitted that in fact the injuries had been inflicted upon the complainant by some other assailant, however, on account of strained relations between the parties, the complainant had for reasons but obvious nominated the petitioner as an accused. It has still further been submitted that even though the occurrence in question allegedly occurred on 22.09.2024, however, the FIR was



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registered six days later on 28.09.2024 which further lends credence to the false implication of 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 in question which has been annexed as Annexure P-1 and stands reproduced hereinunder:-

*“Statement of Aakashdeep son of Manjeet Singh resident of Village Chinna Railwala age about 22 years M.no 9915221532 stated that I am resident of above mentioned address and has completed my +2 On 22.09.2024 alongwith my neighbourer Ashu son of Kala Masih, Gurdit Pal son of Somnath, Ashwani Kumar son of Dharampal residents of village Chinna Railwala went out from my house after having my meal for purchase of Coke from grocery store. After purchasing the coke when we are giving money to shopkeeper, then at about 9:30PM **Navdeep Singh @Bunty** son of Nishan Singh Resident of village Chinna Railwala came in his car Alto bearing no PB 35 Q 2202 and while coming out of his car he took out datar from his car and gave two consecutive blows upon me after coming from my back side which hit me on backside of my head. I fell down on the ground. Then while I was laying down he gave me datar blow and i raised my right hand to save myself and the same hit on inner side of my hand. He again gave datar blow,i raised my left hand and the same hit on my left arm. My accompanied persons tried to stop him but in the meantime he gave datar blow on my left legnear kneecap. He gave me one more datar blow but my accompanied persons send him to side but the said blow hit on the wall and then hit by reverse side on my left shoulder. I was bleeding badly and I and my accompanied people raised hue and cry then the above mentioned **Navdeep Singh @Bunty** ran away from the spot on his car alongwith his datar. After some time my brother Deepak Kumar son of Manjeet Lal came to the spot, who arranged the vehicle and got me admitted in government hospital NMS where doctor gave me first aid and did my MLR and refered me to Gurdaspur. Gurdaspur treated my for The doctor in some time and thereafter referred me to ASR, thereafter my brother got me admitted in Abrol hospital Gurdaspur where my father Manjeet Singh also came. In Abrol hospital doctors treated me and on 24.09.2024 they have operated my right hand Due to severity of injuries, I was unconscious till yesterday.*



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Today I am conscious there was no motive of fight. He gave me message thereafter I gave injuries to Akashdeep due to mistake. as he wanted to cause injuries to someone else Due to injuries, i am still in Abrol hospital under treatment. Statement has been recorded and the same is readover and signed after deemed to be correct. Appropriate Legal action be taken. Sd / Akashdeep signed in english."

4. A perusal of the FIR in question clearly reveals that prima facie it was an unprovoked attack launched by the petitioner, who was armed with a lethal weapon i.e. a datar; the petitioner inflicted repeated blows with the datar on the backside of the head of the complainant on the fateful day. The petitioner has not only been specifically named but there are specific attributions qua his role in the occurrence in question. Although it was asserted by learned counsel for the petitioner that there was a delay in the lodging of the FIR in question, however, it was not disputed by him that soon after the occurrence in question, the complainant was removed to the nearest Government Hospital in an injured condition where he was then medico legally examined. Moreover, the injuries inflicted upon the complainant cannot be said to be self-suffered, much less, fabricated so as to create any dent in the case of the prosecution as far as the delay in the lodging of the FIR is concerned, moreso when the petitioner was promptly treated by a doctor.

5. In the facts and circumstance as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

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6. 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.

27.11.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No