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

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Date of decision: 13th December, 2024

Kamalpreet Singh @ Rahul

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 63 dated 07.08.2022 registered under Sections 323, 324, 325, 326, 148 and 149 of IPC (offences under Sections 325 and 326 of IPC added later on) at Police Station Begowal, District Kapurthala.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant-Rajbir Singh alleging that the petitioner along with the co-accused had assaulted him on 04.08.2022 and had caused simple as well as grievous injuries to him. As per the allegations, the present petitioner had struck a blow with sword thereby hitting the left knee of the complainant and causing simple injury with a sharp edge

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weapon. The injury which has opined to be grievous in nature, has been attributed to the co-accused Lada, who has since been extended benefit of regular bail.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he is ready to join the investigation. His custodial interrogation is not required. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed by respondent-AAG, Punjab. It is argued by learned AAG that the petitioner formed an unlawful assembly with the co-accused and caused simple as well as grievous injuries to the complainant and hence, he does not deserve to be given benefit of anticipatory bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The injury that has been attributed to the petitioner is on knee of left leg and has been opined to be simple in nature. The petitioner is ready to join the investigation. Keeping in view the nature of the injuries sustained by the complainant at the hands of the petitioner, the petition is allowed, subject to petitioner's surrendering before the Arresting/Investigating Officer within a period of one week and joining investigation as and when required and further subject to his furnishing personal/surety bonds to the satisfaction of Arresting/investigating Officer. He shall also abide by the conditions as provided under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,



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2023 (for short ‘BNSS’).

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

13th December, 2024
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No