



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

106

CRM-M-60577-2024

Date of decision: 03.12.2024

Bhupinder Singh (wrongly mentioned as Bikkar Singh)

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Kamaldeep Kaur, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is for granting the concession of anticipatory bail to the petitioner in case FIR No.0218 dated 12.11.2024 under Sections 109, 118 (1), 115(2), 351 (2), Section 3(5) of the BNS, 2023, registered at Police Station Lehra, District Sangrur.
2. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the instant case due to the complainant, who is the neighbour of the petitioner, harbouring animosity against him arising from a prior dispute regarding their shared wall. It is further contended that, even if the allegations levelled in the FIR in question are taken at face value, the petitioner is alleged to have caused only simple injuries using a blunt weapon. In the light of these facts and circumstances, it is argued that custodial interrogation of the petitioner



would not be required, and he is therefore entitled to the concession of anticipatory bail.

3. I have heard learned counsel for the parties and have perused the relevant material placed on record.

4. A perusal of the allegations levelled in the FIR as well as the other material on record reveals that the petitioner has been specifically accused of inflicting an injury on the left side of the head of the complainant using an axe. Furthermore, the father of the complainant is also alleged to have inflicted a grievous injury with the *Gandasi* on the right side of the head of the complainant. It transpires from the material on record that the injuries attributed to both the petitioner and his co-accused were inflicted on the vital part on the body of the complainant, namely the head, and are of a serious and grievous nature.

5. Additionally, as per the allegations levelled in the FIR, after the initial attack, the complainant fell to the ground. Despite this, both the petitioner and the co-accused continued to assault the complainant with their respective weapons, causing further injuries.

6. *Prima facie*, the allegations against the petitioner are serious and indicate grave offences. Keeping in view the nature of the injuries, the circumstances of the alleged assault and the role attributed to the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.



7. Accordingly, the instant petition is hereby dismissed.
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.

December 03, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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