



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

213

CRM-M-1394-2025

Decided on : 17.01.2025

Daljit Verma

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Maninder Singh Saini, Advocate
for the petitioner(s).

Mr. Amandeep S. Samra, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Daljit Verma, who has been booked for having committed the offence punishable under Section 125 of BNS, 2023 and Section 27(1) of the Arms Act, 1959, in case FIR No. 210, dated 02.11.2024, registered at Police Station City Rupnagar, Distt. Rupnagar, during the pendency of trial.

2. Learned counsel for the petitioner contends that offence under Section 307 of IPC has been deleted, and the role now attributed against the petitioner is of committing offence under Section 125 of BNS, 2023 and Section 27(1) of the Arms Act, 1959. While referring the complaint dated 30th October, 2024, counsel for the petitioner submits that the complainant perturbed by the petitioner's dairy business, had moved a complaint to the SHO, Rupnagar and therefore, it was the complainant himself, who was aggrieved with the petitioner and thereupon, reached on the spot to cause



injury. Even the instance is recorded in the CCTV footage from where, it can be confirmed that the complainant himself came first and gave the blow, while the petitioner was standing.

3. Learned counsel further submits that there is no serious injury attributed or even suffered by the injured/complainant. Therefore, applicability of offence punishable under Section 125 of BNS, 2023 would also be a moot question during trial. Thus, he prays for release of the petitioner on regular bail.

4. *Per contra*, learned State counsel opposes the prayer and submissions made by learned counsel for the petitioner. He further submits that after completion of investigation, final report under Section 173 Cr.P.C., has been submitted to the Court of area Magistrate, however, charges are yet to be framed. He also informed that the petitioner is inside jail since 20th November, 2024.

5. I have considered the submissions and without making any observation over the argument of recording of the incident in the CCTV footage, or even examining to that aspect, I find some other substantial reasons to consider the plea of the petitioner.

6. Since the question, who is aggressor, is to be ascertained by the trial Court, after having evidence before it, because as per the submissions of the petitioner's counsel before this Court, it is the petitioner, who at the first instance had moved complaint on dated 30th October, 2024 to the concerned SHO against the functioning of dairy in front of his house.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-in-above, I deem



it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to his furnishing
bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial
Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in
any other case.

9. Needless to observe that the petitioner shall not extend any
threat and shall not influence any prosecution witness in any manner directly
or indirectly.

10. The observation made here-in-above shall not be construed as
an expression of opinion on the facts of the case and the Trial Court is
expected to decide the case on the basis of complete evidence available on
record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 17, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No