

217

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-1586-2025
Date of Decision:-20.02.2025

SAHIL GILL

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

Mr. Raghav Soni, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharitiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner is praying for anticipatory bail in the following FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
223	10.12.2024	115(2), 118(1), 126(2), 351, 60 of BNS 118(2) of BNS added later on	Sultanpur Lodhi, District Kapurthala

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been implicated in the instant case. He contends that petitioner has not participated in the alleged occurrence as has been claimed by the complainant, nor has caused any injury to the



complainant. He submits that the petitioner is not required for custodial interrogation, hence prayed for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, referring to the reply submitted by the State have strongly assailed these arguments by contending that the petitioner is specifically named in the FIR being one of the assailants who had given datar blow on the left arm of the complainant which was declared grievous in nature. They submit that custodial interrogation of the petitioner is required for recovery of weapon of offence., hence prayed for dismissal of the bail petition.

5. After considering the arguments and perusing the record, it is observed that the instant FIR was registered on the statement of the complainant stating that on 09.12.2024 while he was coming back on his vehicle from Sultanpur Lodhi then at about 12:30 PM Lovepreet Singh @ Love alongwith petitioner Sahil stopped him by parking their motorcycle in front of his scooter and started beating the complainant without any reason. When he tried to ran away, then on lalkara being raised by co-accused Lovepreet Singh @ Love, petitioner attacked him with datar blow with an intent to kill him hitting the turban of the complainant. The petitioner again gave another blow with datar on the person of the complainant who tried to save himself by raising his left hand, as a result the datar blow hit on the wrist of his left arm. Lovepreet Singh-co-accused snatched ₹30,000/- from the pocket of the complainant which he had withdrawn from the bank and fled away from the spot. Injured was shifted to the hospital and the case was

registered.

6. It is apparent from record that the petitioner is named in the FIR as one of the assailants and specific overt act is attributed to him of having caused injury with sharp edged side of the datar on the left arm of the complainant which has been declared as grievous in nature. He had given earlier blow with datar on the head of the complainant who was saved due to wearing of turban. Therefore, considering the serious nature and also the fact that custodial interrogation of the petitioner is required for effecting recovery of the weapon of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

20.02.2025

Gyan

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No