



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

CRM-M-1909-2025

Date of Decision: 15.01.2025

JASPREET SINGH @ GORA

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.S. Aulakh, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J. (Oral)

1. Relief Sought

The present petition has been filed under Section 482 of B.N.S.S. for anticipatory bail to the petitioner in Case/FIR No.0165, Dated 20.11.2023, U/s 326, 452, 506, 323, of IPC (Section 450 of IPC added later on vide DDR/ Rupt No.0028, dated 17.09.2024 (Annexure P- 2), while deleting section 452 of IPC). registered at Police Station Kotbhai, District Sri Muktsar Sahib (Annexure P-1).

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

"Statement of Balraj Singh, S/o Sukhdev Singh, S/o Balvir Singh, R/o Village Bhailiana aged about 35 years, Mobile no. 96461-78401, states that I am an agriculturist by profession. On 18.11.2023 while I was making bales of paddy stubble in my paddy fields. My tractor trolley full of bales of paddy stubble unloaded in the farm of my paternal uncle and thereafter I parked my tractor trolley outside and left for my home. On 19.11.2023 around 8:00AM when I was present at my home a person



named Jaspreet Singh S/o Baljinder Singh R/o Village Bhailiana entered into my house and started verbally abusing me and also threatened to kill me upon which I tried to make him understand and explain the whole situation but instead he started scuffle with me wherein I tried to defend myself with my left arm but he after getting caught hold my left hand bite my index finger with his front sharp teeth. Upon which I started shouting, hearing the same my brother named Shivraj Singh who was also present in my home at that time saved me from the accused wherein the top part of my index finger got separated from the rest of my finger and fell down on the ground after which the accused named Jaspreet Singh threw a piece of brick towards me which hit me on the back side of my head and thereafter he ran away from the spot. My brother Shivraj on seeing me in critical condition and my grievous injuries arranged for a vehicle to take me to the hospital for my treatment and firstly got me admitted to the Civil Hospital Doda after which I was referred to CH/SMS wherein my treatment is going on till today. The main cause for all of this is that my tractor trolley was parked in the field of accused named Jaspreet Singh in which he had sown the crop of wheat at that time due to this he cut my finger with teeth and separate the front part of my finger with anger and also threatened to kill me by entering into my home. Legal action be taken against him. I have recorded my statement above, heard, read and same is true and correct to my knowledge.”

3. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present FIR only to harass him and his family members. He further submits that the matter in the present case has already been compromised with the complainant and the petitioner has also filed the petition bearing no. CRM-M-9815-2024 for quashing of the present FIR has been filed before this Court and the same is pending for 28.01.2025.

On behalf of the State



Learned State Counsel do not object to the prayer for grant of concession of anticipatory bail.

On behalf of the complainant

Learned counsel for the complainant is in consonance with the above said facts and submits that he has no objection in case the present petition is allowed in light of the settlement arrived at between the parties and if the petitioner adheres to any comply with the rest of the part of the agreement as effected on 31.01.2024.

4. Analysis

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties that the matter has been amicably settled between the parties vide the compromise deed dated 31.01.2024, Annexure P-3, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has *bona fide* intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. Decision

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged



under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

15.01.2025

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(SANDEEP MOUDGIL)
JUDGE

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