



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

CRM-M-4650-2025

DATE OF DECISION: 28.01.2025

ARSHDEEP SINGH @ DEEPU

..PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Rakesh Kumar, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)1. Relief Sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.151, dated 03.11.2024, under Sections 331(6), 191(3), 115(2), 118(1), 304, 324(4) of BNS, 2023, (Section 118(2) BNS added later on) registered at Police Station Subhanpur, District Kapurthala

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

"Statement of Harpreet Singh @ Happy son of Swaran Singh resident of Boot P.S. Subhanpur District Kapurthala aged about 28 years Mobile No. 98724-83186. Stated that I am resident of above address and do labour work. On 02.11.2024 at about 8:00 PM I was present at Bus stop Boot when Ravinder Singh @ Padda son of Surjit Singh and Gurpreet Singh @ Gopi @ Katta son of Jagtar Singh both residents of Boot P.S. Subhanpur District Kapurthala came on their motorcycle and



started staring at me and said that you are showing eyes to us and we will teach you a lesson. Then at about 11:00 PM I and my brother Jasvir Singh @ Sheera along with our family were present in our house when Jaswinder Singh @ Shinda son of Surjit Singh having iron datar, Ravinder Singh @ Padda son of Surjit Singh having iron datar, Karamjit Singh @ Kammu son of Bhupinder Singh having iron Khanda, Gurpreet Singh Gopi @ Katta son of Jagtar Singh having baseball, Deepu son of Jarnail Singh having baseball bat and Gurpreet Singh @ Gopi son of Satnam Singh having baseball bat all residents of Boot P.S. Subhanpur District Kapurthala forcibly entered our house. They with their respective weapons damaged the fridge, Motorcycle and Bathroom doors as also the wash basin. My brother Jasvir Singh @ Sheera saved his life from these assailants and ran away from the house. Jaswinder Singh @ Shinda above said attacked with his datar towards my head and I raised my right hand to save myself and the same hit on the little finger of my right hand which got cut and started hanging. Then Ravinder Singh @ Padda attacked me with his datar which hit on my right leg near the ankle. Then Karamjit Singh @ Kammu above said attacked me with his khanda which hit near the knee joint of my left leg. Then Gurpreet Singh @ Gopi @ Katta attacked me with his baseball which hit on my right knee Deepu attacked me with his baseball which hit on my right thigh. Then Gurpreet Singh @ Gopi above said attacked me with his baseball which hit on my body and caused internal injury. I became unconscious and fell down and thinking that I have died my family started shouting and people started gathering and the accused while giving threats ran away from the spot and Ravinder Singh @ Padda took out my I-Phone from my pocket and took it away and made me handicapped for life. All accused ran away with their weapons. My relative arranged for a vehicle and got me admitted to Civil Hospital, Kapurthala but due to serious injury I was referred to Sri Ram Nuero Centre Jalandhar where I am



under treatment. Legal action be taken against the accused and I have given my statement it is correct. Sd/-Harpreet Singh @ Happy attested Gurdev Singh ASI police post Badshahpur P.S. Subhanpur dated 03.11.2024."

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has submitted that as per the version of the FIR, the role attributed to the petitioner is that he attacked the complainant with his baseball bat and hit on the right thigh of the complainant. He further submit that the alleged injury attributed to the petitioner is given on the non-vital part of the body and that too has been declared simple in nature. He points out that co-accused namely Karamjit Singh @ Kammu has also been granted concession of anticipatory bail by this Court vide order dated 20.12.2024 passed in CRM-M-64868-2024 and the petitioner is on better footing than him. He undertakes that the petitioner will join the investigation and cooperate with the investigating agency.

Notice of motion.

On behalf of the State

Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State and opposes the grant of anticipatory bail on the ground that the petitioner along with other co-accused had inflicted various injuries on the person of the complainant. He does not controvert the fact that the injury attributed to the petitioner is simple in nature.



4. **Analysis**

Be that as it may, considering the fact that the injury attributed to the petitioner with baseball is simple in nature and is on the non-vital part and the fact that similarly situated co-accused has already been granted concession of anticipatory bail, moreover, the petitioner is ready and willing to join the investigation and cooperate with the investigation agency, this Court is of the considered view that the petitioner deserves the concession of anticipatory bail at this stage.

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.

(SANDEEP MOUDGIL)
JUDGE

28.01.2025
anuradha

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