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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-4280-2025
Date of Decision:-06.02.2025

RAGHBIR SINGH

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sushil Saini, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J (ORAL)

Learned State counsel has filed status report by way of an affidavit dated 05.02.2025, of Deputy Superintendent of Police, Rural, District Gurdaspur, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

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

FIR No.	Dated	Sections	Police Station
74	21.12.2024	115(2), 118(1), 351(2), 191(3), 190, 303(2) of BNS (117(2), 118(2) of BNS added later on	Kahnuwan, District Gurdaspur

3. Argument heard.

4. It is, *inter alia* contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner is not having any criminal antecedents and has been implicated due to earlier litigation between the parties. He contends that petitioner is ready to join the investigation. Hence prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by submitting that petitioner was specifically named in the FIR and he had allegedly given datar blow on the right elbow of the complainant. He contends that recovery of datar used in the crime is yet to be effected from the petitioner for which custodial interrogation of the petitioner is required. Moreover, petitioner is involved in two more other criminal cases. Hence prayed for dismissal of the anticipatory bail petition.

6. After considering the arguments and perusing the record, it transpires that the instant FIR was registered on the statement of Harbhajan Singh-complainant stating that on 16.12.2024 at about 11:30 am the petitioner armed with datar, Sukhdev Singh armed with datar, Baldev Singh and Ramandeep Singh armed with iron rod, Nirmajit Kaur armed with handle of hand pump and Satinderpal Kaur armed with dang, waylaid the complainant and Sukhdev Singh exhorted to teach lesson for forcibly occupying their land, attacked the complainant. Sukhdev Singh gave two blows of datar on the left leg, Ramandeep Singh gave blow of iron rod on the right leg, Nirmaljit Kaur gave blow with handle of the pump on the right elbow, whereas Raghbir Singh-petitioner gave a datar blow on the right



elbow of the complainant and Baldev Singh gave iron rod blow on the back side of the head of the complainant. Complainant fell down and the assailants left him away. Hence FIR was registered.

7. It is evident from the perusal of record that petitioner was specifically named in the FIR on the allegations of giving datar blow on the right elbow of the complainant, the said injury has been declared as grievous in nature. The recovery of weapon used in the occurrence is yet to be effected from the petitioner a such his custodial interrogation is required. Therefore, considering the serious nature and gravity 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.

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

(SANJIV BERRY)
JUDGE

06.02.2025

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