



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237

CRM-M-4732-2025 (O&M)
Date of Decision:- 18.02.2025

NIRVAIL SINGH ALIAS NIHALA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

Ms. Natasha Munjal, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

1. Short reply dated 14.02.2025 filed in the form of an affidavit of Deputy Superintendent of Police, (Rural) Ferozepur, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
56	20.07.2024	118(1), 115(2), 127(1), 191(3), 190 of BNS; [117(1), 118(2) BNS added later on)	Ghall Khurd, District Ferozepur



4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that no specific overt act is attributed to the petitioner and there is an unexplained delay of three days in lodging of the FIR. He further contends that the instant case has been falsely planted by the complainant, as his father is a retired police official, rather, the petitioner happens to be the injured in the cross-version. He submits that the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the short reply submitted by the State has opposed the bail petition by arguing that there is specific attribution to the petitioner of having caused injury to the victim with rod blow. He submits that the petitioner has actively participated in the crime and the recovery of weapon is yet to be effected, for which his custodian interrogation is required, hence prayed for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered by complainant-Sukhdeep Singh that on 17.07.2024 at about 03:00 PM, while he was going on his motorcycle, then co-accused Amit along with petitioner met him. The petitioner demanded the mobile phone from the complainant to which he refused upon which the petitioner started abusing him and slapped him. Later in the evening at about 04:30 PM, when the complainant was going to his fields on his motorcycle, then the petitioner armed with rod, Gian Singh @ Giani armed with sword, Inderjit Singh armed with sword, Honey armed



with sword along with Balwinder Singh and Amit way-laid him and on the lalkara being raised by Balwinder Singh, the petitioner gave rod blow hitting the victim on his left arm, followed by Inderjit Singh giving sword blow hitting his neck. The petitioner again gave another blow of rod, hitting the victim on his head, as a result, he fell down on the ground and the accused Ranjit Singh gave sword blow on his legs. As a result, the complainant fell down unconscious. Subsequently, the injured was shifted to hospital, and the FIR was accordingly registered.

7. It is apparent from the perusal of the record that there is specific attribution to the petitioner of having given rod blows on the person of victim on his head and left arm. As a result of which the victim fell unconscious. Specific role has been attributed to the petitioner, who is named in the FIR itself and the recovery of weapon is yet to be affected from the petitioner for which his custodial interrogation is required.

8. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

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

(SANJIV BERRY)
JUDGE

18.02.2025

S.Sharma(syr)

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