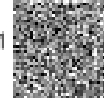


2025.PHHC:015061



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5002-2025
DECIDED ON: 03.02.2025

SHAMINDERDEEP SHARMA ALIAS SHAMMI SINGH
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. H.R. Bhardwaj, Advocate
for the petitioner.

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. 098 dated 05.06.2024, under Sections 323, 324, 34 of the IPC and Section 326 of IPC added later on, registered at Police Station City 2 Mansa, District Mansa.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“At this time it is recorded that the report No. 22 of the Medical Opinion in Case No. 98 dated 3-6-24 U/S 324,323,34 IPC Police Station City-2 Mansa Lavdeep Sharma son of Parshotham sharma resident of Street No. 20 Pratap Nagar Bathinda and Navi Sharma son of Pappu Sharma resident of Rambagh Road Mansa. He left for the Government Hospital Mansa and came to the police station: Majrub Navi Sharma, son of Pappu Sharma, resident of Rambagh Road, submitted a written application regarding obtaining a medical opinion regarding Mansa, but the doctor has written that injury no 1- 4 are simple is written and in the said case, Majrub Labhdeep Sharma son of Prashotam, resident of street

number 20, Pratap Nagar, Bathinda, is written regarding obtaining a medical opinion. Submitted the application but the doctor has written that MLR/DB/1315/CH MANSA/2024 Pt was brought A/H/O Asselt on 3-6-21 All injuries Have KUO Now After Viewing MLC rays, Bedhead Ticket of civil Hospital Mansa District Hospital Bathinda - Admission no 8775 Date 12-6-24 The Nature of injuries at my Opinion is injury no 1 Grievous injury No 2 to 7 Simple is written. On which the relevant medical opinion has to be committed in the case of under section 326 IPC. On which, Section 326 IPC is added in the said case. A duplicate report will be prepared and sent by post to the service of the District Magistrate Sahib Mansa and senior officials. The report is filed."

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is two days delay in lodging the FIR, as the alleged incident took place on 03.06.2024 and the FIR was registered on 05.06.2024. He further submits that no injury whatsoever has been attributed to the present petitioner. The attention of this Court has been drawn to an order dated 10.01.2025 (Annexure P-3) vide which co-accused Yogesh Sharma @ Nishu Sharma @ Navi Sharma has already been granted the bail by the trial Court.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner alongwith his other co-accused person has inflicted injuries on the person of the complainant.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that there is two days delay in lodging the FIR and the co-accused has already been granted the concession of

bail by the trial Court added with the fact that he is not involved in any other case, meaning thereby he is a person of clean antecedents added with the fact that co-accused has already been granted the concession of bail by this Court, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein she has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 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 a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

03.02.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>