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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 5303-2025
Date of Decision:12.03.2025

SUCHA SINGH AN D ANR.

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sandeep K. Sharma, Advocate for the petitioners.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (Oral)

By way of the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 the petitioners seeks anticipatory bail in case FIR as under:-

FIR No.	Dated	Sections	Police Station
81	13.09.2024	115(2), 118(1), 333, 191(3), 190 of BNS	Chamkaur Sahib District Rupnagar

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner No.1 Sucha Singh has joined the investigation in compliance of the order dated 24.02.2025 passed by this Court. He further contends that even petitioner No.2 Jaspreet Singh has been falsely implicated in this case, without there being showing any specific overt act attributed to him . He contends that as per the allegations levelled by the prosecution the alleged injury attributed to petitioner no.2 Jaspreet Singh are simple in nature, hence he prays for grant of concession of bail to both the



petitioners.

3. Per contra, learned State counsel referring to the reply submitted by the State has stated that petitioner No.1 Sucha Singh has joined the investigation and is no more required for further investigation as per pairvi report. Learned State counsel has opposed the grant of bail to the petitioner No.2 Jaspreet Singh on the ground that there specific allegations against the petitioner of having attacked the complainant with the help of sharp edged weapon i.e. Kirch on head and forehead. He contends that recovery of weapon is yet to be effected from petitioner No.2 Jaspreet Singh, as such prays for dismissal of the bail petition qua petitioner No.2.

4. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on the allegations that on 13.09.2024 complainant Sham Sher Singh had gone to Shri Chamkaur Sahib in his car and while he was returning back one Hardeep Singh signaled him to stop, who was in his vehicle alongwith 4-5 other persons and ladies. The complainant did not stop the vehicle and came to his house followed by said Hardeep Singh. He was armed with drawer of tractor in his hand was accompanied by two other persons one of which was wearing Nihang attire having axe in his hand and started inflicting injuries to the complainant. The person armed with kirch gave blow on his head, which hit on left side of forehead, followed by another blow hitting his left hand. The ladies accompanying them also caused injuries with the sticks, on the alarm being raised, the assailants ran away from the spot and the complainant was shifted to hospital.

5. From the perusal of record and submissions made by both the sides, it is also transpires that so far as petitioner No.2 Jaspreet Singh is



concerned, there are specific allegations against him of having given multiple blows with sharp edged weapon i.e. kirch, hitting complainant on his forehead and hand, therefore, considering the nature and gravity of offence and also the fact that recovery of weapon is yet to be effected from petitioner No.2, no case is made out in favour of petitioner No.2 for grant of anticipatory bail, therefore, the petition qua anticipatory bail to petitioner No.2 Jaspreet Singh is hereby dismissed.

6. So far as the petition qua petitioner No.1 Sucha Singh is concerned, during the course of hearing on 24.02.2025, the following order was passed:-

“Status report dated 23.02.2025 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Chamkaur Sahib District Rupnagar, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.

3. Keeping in view the averments made by both the sides and perusing the record, it is deemed appropriate that the petitioner No.1 Sucha Singh should join the investigation before deciding the petition on merits.

4. In the meanwhile, petitioner No.1 is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.

5. Investigating Officer of the case to remain present along with record on the next date of hearing.

6. List on 12.03.2025”

7. Admittedly, in compliance of the orders dated 24.02.2025 passed by this Court, the petitioner No.1 Sucha Singh has joined the investigation, therefore, interim bail granted to petitioner No.1 Sucha Singh is hereby confirmed, subject to conditions as envisaged under Section 482(2)



BNSS. Further, he will not tamper with the evidence nor will influence the witnesses; shall cooperate with the investigation as and when so required; not to leave the country without prior permission of the Court.

8. The petition for grant of anticipatory bail to petitioner No.2 Jaspreet Singh is dismissed, however, qua petitioner No.1 Sucha Singh is allowed.

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

10. Pending CM applications, if any shall also disposed of.

(SANJIV BERRY)
JUDGE

12.03.2025

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