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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-5534-2025**Date of Decision: 05.02.2025**

Ravinder Singh @ Rachpal Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Prince Goyal, Advocate, for the petitioner.
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.0159 dated 24.12.2024, registered under Sections 109, 118(1), 115(2), 133, 190, 191(3) of BNS, at Police Station City Rampura, District Bathinda.

2. Learned counsel for the petitioner contends that as per allegations levelled by the complainant side, the petitioner had exhorted all other accused to cause injuries to the complainant side. He further contends that the petitioner is alleged to have caused injuries with an iron rod on the left leg of Sohanpreet Singh Mittu, complainant and on the left shoulder of Jagjit Singh @ Jagga. However, both the injuries have been declared to be simple in nature. Still further, except the above said role, no other injury has been attributed to the present petitioner. Learned counsel further contends that his co-accused, namely, Surjit has already been granted the concession of anticipatory bail by

this Court, vide order dated 20.01.2025 (Annexure P-2) and it is a case of version and cross version.

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Phul, District Bathinda has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. No doubt, in the present case, the petitioner and co-accused are being prosecuted under Section 109 of BNS, however, all the injuries suffered by the two injured in the present case have already been declared to be simple in nature. Further, a cross version in the shape of DDR No.23 dated 24.12.2024 has also been recorded by the police and the prosecution is yet to lead evidence before the trial Court to prove the issue of aggressor.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

(N.S.SHEKHAWAT)
JUDGE

05.02.2025
hemlat

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