



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-5918-2025

Date of decision: 31.01.2025

Rampal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sumeet Puri, Advocate with
Ms. Supriya Arora, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.003 dated 04.01.2025 under Sections 115(2), 118(1), 126(2)/351 (3)(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Lehra, District Sangrur.

2. Learned counsel for the petitioner contends that the petitioner has been falsely roped in the present case. Even as per the allegations levelled in the FIR, the petitioner was unarmed and no injury has been attributed to him upon the injured-complainant. Learned counsel has submitted that in the given circumstances, moreso, when he has no other criminal antecedents coupled with the fact that there is some dispute pending between the parties pertaining to some plot of land, the petitioner deserves the concession of anticipatory bail.



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3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel, on instructions from ASI Ranjit Singh, has not disputed that the petitioner has not been attributed any injury upon the injured, however, it has been submitted that the petitioner had otherwise played an active role in the occurrence in question as he, along with another co-accused, had held the injured-complainant from his arms, while his son co-accused Jaswinder Singh continuously assaulted the injured on his back with a *dah*. It has been brought to the notice of this Court that the injured-complainant had to be given as many as 32 stitches for the injuries sustained by him in the occurrence in question. The medical evidence, as per, learned State counsel is in sync with the allegations levelled in the FIR.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. Before proceeding further, it would be apposite to reproduce the FIR in question annexed as Annexure P-1 and which stands reproduced hereinunder:-

*“To the S.H.O. Sahib, P.S. P.S.Lehra, District Sangrur. Statement of Suraj Bhan son of Sukhdev Ram, resident of VPO Alisher, District Sangrur aged about 50 years, Mobile No. 99155-22172, it is stated that I am resident of above mentioned address and doing the work of agricultural and also runs a shop at village Alisher, District Sangrur. On 01.01.2025, I was sitting in my shop then one Flour Miller came there and about 6:00 PM he took beat and went to the shop of Flour Mill who told me that he will call him when wheat stood grinded. I came back to my shop when I tried to put the Flour then Jaswinder Singh alias Jassi son of **Rampal** armed with*



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*dah, **Rampal** son of Kaur Chand empty handed and one unknown person who was muffled face armed with danda (stick) all of them encircled me and started abusing me and asked me why I came here. I tried to stop them. In the meantime **Rampal** raised a lalkara that I should not spare today. Jaswinder Singh hit me with iron Dah on my back and **Rampal** caught hold of me and unknown person beat me with stick. I fell down on the ground and accused persons continuously beat me. I raised hue and cry. Arshdeep Singh and Rajinder Kumar came there and admitted me in the Hospital when I was on the ground all the accused persons beat me with fist, legs. Lot of peoples gathered there and the accused persons ran away from the spot while issuing threats to me. The cause of dispute is that accused persons has vacant plot near my shop and they used to sow vegetables at there which caused damage to my house due to spread of water. Necessary legal action be taken be taken against above mentioned accused persons. All the necessary information has been sent to District Headquarter for further legal action on the matter.”*

8. No doubt, the petitioner has not been attributed any injury on the person of the injured, however, the petitioner even without causing any injury to the injured-complainant, was an active participant in the crime in question as it was the petitioner who by holding the injured-complainant, incapacitated him as a result of which the injured-complainant was not able to flee from the spot and save himself at the hands of the petitioner's son, who was armed with a lethal weapon like *dah*, and with which he inflicted a number of injuries on his back. Prima facie, the ocular testimony finds due corroboration with the MLR of the injured-complainant. In the circumstances, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

9. The instant petition is dismissed accordingly.

10. However, it is made clear that anything observed



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hereinabove shall not be construed to be an expression of opinion on the merits of the case.

31.01.2025

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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