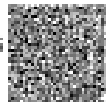


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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6476-2025
DECIDED ON: 04.02.2025

DILBAG SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gurpyar Singh, 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 Cross Case No. 17 dated 10.10.2024 registered Under Section 118 (2), 115 (2), 3 (5) of BNS 2023 at P.S. Goindwal Sahib, District Tarn Taran (Annexure P-1) in FIR no. 342 dated 29.09.2024, U/Ss 118(2)/115(2)/3(5) of BNS, P.S Goindwal Sahib, Distt. Tarn Taran.

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

“It is recorded at 13:23, that the statement of Surjan Singh son of Lachhman Singh, resident of Dhunda Police Station Goindwal Sahib, age 90 years, mobile number 98144-13515 was recorded and sent, which was received through ASI Rajpal Singh No. 16/T.Ta, its contents are as follows; that I am a resident of the above said address and do agricultural work. Our neighbor Dilbagh Singh son of Arjan Singh with whom we have a common wall of our

house. On which Dilbagh Singh has forcibly built a banera over the four inches of place, which belongs to us and there is a 8 feet of land in the yard below. He has also constructed four inches of parde (wall) in our absence in the place that belongs to us and on 18.08.2024, around 09:30 am, Dilbagh Singh started renovating, to the wall he had constructed earlier. I and my family opposed him regarding the wall, so on this issue Dilbagh Singh and his family attacked on our family and the girl Mehakdeep Kaur, daughter of Dilbagh Singh, who was standing in the courtyard, shouted and said, "Catch Dilbagh Singh's family and teach them lesson." Ranjit Singh son of Dilbagh attacked with a brick which hit on my son's wife Charanjit Kaur on her arm and then Akwinder Kaur wife of Dilbagh Singh attacked with a brick (rohre) which hit on Charanjit Kaur's head who sat on the side ..and Dilbagh Singh's son Arjan Singh, resident of Dhunda attacked on my son Shankar Singh with a datar, who put his left arm forward to defend himself then datar hit on his left wrist and blood started oozing out from the wrist. At that time my granddaughter Amandeep Kaur called her uncle larsem Singh son of Bakshish Singh; resident of Dhotian, who was already coming to our house to get resolve this dispute, who came on the spot and Kulwinder Kaur wife of Kashmir Singh who is the wife of my elder son, also came on the spot. Who arranged a ride and admitted both of them to the Civil Hospital Khadoor Sahib and the treatment continued for 5/6 days and on 23.08.2024 my son and my daughter-in-law were discharged from the hospital. The grudge is that 'Dilbagh Singh says that this wall belongs to him' our family says that 'this is a common wall' and Dilbagh Singh started to raise/construct it and we stopped him and due to which we got into a fight. During this quarrel, I also sustained injuries but I was not admitted and neither did I get the medical result. I have seen this incident with my own eyes. In connection with this quarrel, the village panchayat tried to get compromise in this matter many times, which was not settled till date. In this regard, I was coming to you with my neighbor Davinder Singh, son of Ram Singh, resident of Dhunda. You met me on the way, hence legal action should be taken against the accused. I am a claimant and the statement has been scribed, heard and is correct"

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 rather it is a case of version and cross-version and there is no iota of evidence to connect him with the

commissioning of offence. He further submits that nothing has been recovered from the petitioner and he is not involved in any other case. He undertakes before this Court that the petitioner is ready and willing to join the investigation.

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 allegations against the present petitioner are serious in nature that he alongwith other family members tried to inflict 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 the present case is a version and cross-version wherein the petitioner got registered FIR against the complainant and the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he 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.

(SANDEEP MOUDGIL)
JUDGE

04.02.2025

Meenu

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