



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9237-2025
DECIDED ON: 18.02.2025

KAMALJIT SINGH ALIAS MANJIT SINGH
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Raghav Soni, 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.3, dated 05.01.2025, under Sections 115(2), 118(1), 118(2), 191(3), 190 of BNS, 2023, registered at Police Station Sultanwind, Amritsar.

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

“Statement of Satnam Singh @ Sattu S/o Tarlok Singh R/o House No.52, Bhagtupura, P.S. Chattiwind, Amritsar, aged about 40 years, mobile No.88472-22945, stated that I am resident of above address and am doing labour work. My brother-in-law (sala) Harjit Singh S/o Ranjit Singh is living at Dubarji, Amritsar and on dated 01.09.2024, Harpreet Kaur wife of my sala Harjit Singh had quarrel with Balwinder Kaur W/o Resham Singh and Raj Kaur w/o Billa residents of Village Dubarji who were beating my salehar

(wife of my brother-in-law). That we got information about this quarrel and in order to pacify them, I and my wife Karamjit Kaur @ Nanaki and my sister-in-law (Bhabi) Amarjit Kaur w/o Harpal Singh R/o Bhagatpura went to Daburji and saw that they were beating my salehar Harpreet Kaur and we tried to stop them, then at about 09:30 AM that Gurjit Singh @ Soni S/o Swaran Singh R/o Village Daburji carrying Gandasi and Baljit Singh @ Bubbi S/o Swaran Singh R/o Daburji carrying baseball in his hand and Kamaljit Singh S/o Charanjit Singh R/o Daburji empty handed came there and Balwinder Kaur and Raj Kaur looking towards us said and started shouting lalkara, catch them as they have come to help Harpreet Kaur. Then meanwhile, Gurjit Singh @ Soni attacked with his Gandasi on my head and I put forward my left arm which hit the arc of my left arm. Then Baljit Singh hit with his baseball on me hitting my right arm and then Gurjit Singh @ Soni attacked with his Gandasi on me hitting my left arm. Kamaljit Singh started threatening to kill us and blood started flowing from my left arm and I fell down on ground. All them started hitting me with their legs and feet while I was lying on ground. Then my wife and salehar shouted, "mar-ditta, mar-ditta" and all of them ran away from the spot and my wife arranged vehicle and took me to Manawala Govt. Hospital and got me admitted there, where the doctor treated me and issued my MLR. That by injuring me, they had committed atrocities on me. Legal action may kindly be taken against them. I was coming today to report about this quarrel that you met me. Statement has been recorded, heard and found correct."

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that as per the prosecution story, the petitioner was empty handed and the role attributed to

the petitioner is that he gave leg blows to the complainant. He further contends that neither any specific injury has been attributed to the petitioner nor any weapon shown to have been used by him, even as per the version narrated in the FIR. All the injuries were given by the other co-accused on the person of the complainant or injured as has been averred by learned counsel for the petitioner.

He undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State and does not controvert the aforesaid facts.

4. **Analysis**

Be that as it may, considering the undertaking given before this Court by learned counsel for the petitioner that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer; no specific injury has been attributed to the petitioner in addition to the fact that nothing is to be recovered from the present petitioner for which the custodial interrogation of the petitioner is required at this stage, this Court is of the considered view that the petitioner deserves the concession of anticipatory bail.

5. **Decision**

In the light of above, 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

18.02.2025

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No