



CRM-M-10884-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10884-2025 (O&M)

DECIDED ON: 03.04.2025

HARDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Keshav Pratap Singh, Advocate, for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Jaskiran Singh Dhaliwal, Advocate, for the complainant.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner namely Hardeep Singh, aged about 24 years, seeking concession of anticipatory bail, in case FIR No.114, dated 23.10.2024, under Sections 115(2)/118(1)/3(5)/324(4) of BNS (offence under Section 118(2) of BNS added later on, vide GD No.20 dated 28.12.2024), registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

2. Counsel for the petitioner submits that FIR was registered on the statement made by the injured namely Amarjit Singh.

Relevant part of the FIR is reproduced here under:-

“On dated 19.10.2024, the harvesting combine machine was going towards the fields of Hardeep Singh son of Gurjant Singh resident of Aulakh. However, the combine came down from the road and it has caused loss to the crop of my uncle Jaskaran Singh son of Chhota Singh. I alongwith my uncle Jaskaran Singh were standing in front of the house of Gurmit Singh son of Gurbachan Singh member panchayat of our village to give information to him. In the meantime, Hardeep Singh son of Shiv Raj Singh armed with spade, Shivraj Singh son of Gurjant Singh



empty hand suddenly came there and Hardeep Singh given blow of his spade at me. I have raised my right hand and stopped the same, while stopping the corner of the spade hit at the right side of my nose. Then he gave second blow of spade and the corner of the spade hit at the left side of my nose. Then Hardeep Singh given third blow of spade at me and it directly hit at my elbow. I fell down on the ground and Shivraj Singh took a brick from the street and given blow on the wrist of my right hand. My uncle Jaskaran Singh tried to save me from them. Then Hardeep Singh given blow of his spade on the hip of Jaskaran Singh. We raised clamour marta marta. Then Gurmit Singh member panchayat raised clamour not to beat them. The above said both persons ran away from the spot with their weapons. Then Gurmit Singh arranged a vehicle and got us admitted in Civil Hospital Malout for treatment. I have suffered multiple injuries. Therefore, I was referred to Guru Gobind Singh Medical College, Faridkot. There I am getting treatment. The driver of combine has entered the combine in the field of my uncle Jaskaran Singh and has caused damage. We went to inform about this to Gurmit Singh Member. Due to this grudge, they in connivance with each other have inflicted injuries to us. I am claimant. Legal action be taken.”

3. The petitioner is alleged to have caused multiple blows with a spade to the injured, namely, Amarjit Singh. The first blow struck the right side of the nose, while the second blow landed on the left side of the nose. A third blow was delivered directly to the left elbow, as per the Medical Legal Report (MLR). The injury to the nose has been classified under Section 118(2) of the BNS, 2023, (Section 326 of the Indian Penal Code), indicating a grievous injury.

Injuries suffered by the injured Amarjit Singh are reproduced as under:-

<i>Sr No</i>	<i>Injures</i>	<i>Marked</i>	<i>Injury Number</i>
<i>1</i>	<i>INCISED WOUND APPROX 7 CM x 1 CM OVER THE LEFT ARM, ABOVE THE ELBOW. ADVISE x RAY LEFT ARM</i>	<i>Yes</i>	<i>3</i>



2	INCISED WOUND APPROX X 10 CM X 0.5 CM AND BONE DEEP COVERING BRIDGE OF NOSE AND SIDE OF NOSE. ADVISE CT SCAN ENT OPINION AND MANAGEMENT	Yes	1
3	LACERATED WOUND APPROX X 8 CM LONG OVER THE RIGHT HAND. ADVISE X RAY RIGHT HAND AND WRIST	Yes	4
4	INCISED WOUND APPROX X 5 CM X 1 CM OVER THE FOREHEAD. ADVISE SUTURING AND CT SCAN HEAD	Yes	2

Based on the above chart, it can be noticed that Injury No.2 has been classified as falling under Section 326 of the Indian Penal Code (IPC), which pertains to grievous injuries.

4. Counsel for the petitioner contends that the incident occurred on 19.10.2024; however, the First Information Report (FIR) was registered at a belated stage, i.e. on 23.10.2024, solely based on the statement given by the injured/complainant, namely, Amarjit Singh.

Since the version of the complainant is highly belated, the benefit should go to the accused, as the complainant had got ample time to concoct the version.

He further argues that the alleged injuries were caused by a spade, which is primarily an agricultural tool, and not a weapon typically considered deadly. Therefore, it cannot be inferred that the petitioner was armed with a dangerous weapon or he had an intention to inflict serious physical harm on the victim.

5. Counsel for the petitioner also submits that there is a cross-version which was registered, vide GD No.31 dated 24.10.2024. However, injuries suffered by the petitioner-party are simple in nature.



Thus, prays for grant of anticipatory bail to the petitioner in the present case.

6. Notice of motion.

7. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State, and Mr. Manpreet Singh Rai, Advocate, and Mr. Jaskirat Singh Dhaliwal, Advocate, put an appearance on behalf of the complainant.

8. While opposing the prayer of anticipatory bail to the petitioner, learned State counsel as well as counsel for the complainant argues that as per the MLR, the medico-legal examination was conducted on the same day of the incident, i.e., 19.10.2024. Furthermore, the size and nature of the injuries described in the MLR clearly indicate that they were inflicted with a sharp-edged weapon, such as a spade (*kassi*).

Not only one, there are other injuries also having been attributed against the petitioner. Therefore, the petitioner does not deserve any concession of anticipatory bail in the present case.

9. In response to the cross-version, learned State counsel, along with the counsel for the complainant, contends that the version put forth by the petitioner is fabricated. They argue that despite the petitioner's party allegedly suffering only simple injuries, the cross-case was registered only after the FIR was filed. Had the petitioner's party truly sustained any injuries, they could have reported them on the same day of the incident. Therefore, the version presented by the petitioner's party is *prima facie* not credible.



10. This Court has carefully considered the submissions made by counsel for both parties, as well as perused the record. After evaluating the nature and size of the injury, along with the fact that the injury was found on the person of the injured, namely Amarjit Singh, on 19.10.2024, as per the medico-legal examination, this Court finds no special reason to grant anticipatory bail to the petitioner. Accordingly, the present petition is **dismissed**.

11. Pending miscellaneous application, shall also stands disposed of.

03.04.2025
Lavisha

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No