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

CRM-M-11466-2025

Date of Decision: 05.03.2025

Resham Singh and another

...Petitioners

vs.

State of Punjab

...Respondent

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

Present : Mr. Sumeetpal Singh Sidhu, Advocate, for the petitioner.
Mr. Deepinder Singh Brar, Senior DAG, Punjab.
Mr. Ashish Grover, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to them in case FIR No.0027 dated 15.02.2025, registered under Sections 331(6), 115(2), 324(4), 3(5) and 117(2) added later on of BNS, at Police Station Sadar Bathinda, District Bathinda.

2. Learned counsel for the petitioners contends that as per the allegations levelled by the complainant, petitioner No.1 had given a blow with an iron rod on the right arm of the complainant. Further, when the complainant had fallen down, petitioner No.2 had given a blow with iron rod on the left shoulder of the complainant. He further contends that both the injuries, which were allegedly caused by the petitioners in the present case have been declared to be simple in nature and the grievous injury is attributed to Raja Singh, co-accused/non-applicant. He further contends that the offences other than under Section 331(6) of BNS are bailable in nature and even the offence under Section 331(6) of BNS is not made out in the peculiar facts of the case as the petitioners were invited by Davinder Singh to his house to attend the *Jaggo* Ceremony. He



further contends that even the house in question did not belong to the complainant and he was also a guest at the house of Davinder Singh.

3. On the other hand, learned State counsel, assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioners on the ground that both the petitioners had also trespassed and had joined hands with Raja Singh to cause injuries to the complainant and Angrej Singh. Thus, keeping in view the gravity of the matter, the present petition may be dismissed by this Court.

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

5. In the present case, except the offence under Section 331(6) of BNS, all other offences are bailable in nature. Even otherwise, the injury, which led to the addition of the offence under Section 117(2) of BNS, is attributed to Raja Singh, co-accused. The injuries, which were allegedly caused by the petitioners have been declared to be simple in nature. Moreover, the prosecution is yet to lead evidence with regard to the involvement of the petitioners in the alleged crime.

6. At this stage, without commenting any further on the merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of BNS. It will be open for the Investigating Officer to call the petitioners to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of BNSS.

(N.S.SHEKHAWAT)
JUDGE

05.03.2025

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