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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12473-2025

DATE OF DECISION: 10.03.2025

RAVINDER SINGH ALIAS HARWINDERPAL SINGH
...PETITIONER

Versus

STATE OF PUNJAB AND OTHERS
... RESPONDENT

Present: Mr. Pankaj Maini, Advocate for the petitioner(s).
Mr. Jaspal Singh Guru, AAG, Punjab.
Mr. APS Rehan, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

This petition has been filed under Section 482 of BNSS, 2023 praying for grant of anticipatory bail in FIR No.67 dated 14.09.2024 under Sections 115 (2), 118 (1), 117 (2), 126 (2), 191 (3) and 190 of BNS, 2023 at Police Station Sekhwan, District Batala (Annexure P-1) in which the petitioner and his family members have been falsely involved by the opposite party against whom the Cross Case vide G.D. No.22 dated 08.10.2024 U/s 115(2), 118(1), 117(2), 126(2), 191(3), 190 of BNS, 2023 was registered at Police Station Sekhwan (Annexure P-2).

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘Statement of Ralvinder Kaur wife of Shamsher Singh, resident of Talwandi Jhungran aged about 35 years Mobile No.98763-79581, stated that I am resident of aforementioned



address and doing household work. On dated 05.09.2024 time about 04:00 PM evening I was present in my home with family and my Mother-in-Law Harjinder Kaur (Handicap) wife of Sukhvinder Singh has went to drop daughters for tuition then after 2/3 minutes heard some noises in the nearby streets of our house. Then I went to the street by coming out from my house and saw that Rajinder Kaur wife of Rajbir Singh Daughter of Amrik Singh alongwith Daang, Gurmeet Kaur wife of Amrik Singh alongwith Khundi and Amrik Singh Son of Fateh Singh residents of Talwandi Jhungle who have surrounded my Mother-in-Law and daughters and were pushing and shoving them. At my seeing Rajinder Kaur has given two hits of his Dasti Daang upon my Mother-in-Law out of one was received in front of head of her and second was received on her chest and then Amrik Singh alongwith his Khundi has made two hits upon my mother in law which has been received by her on right arm's bicep and second on left arm's bicep. When I moved ahead to separate them then at that time Ravinder Singh Son of Amrik Singh alongwith Datar and their Son in Law Sonu Son of Onkar Singh who are residents of Talwandi Jhungle have reached there and by reaching Sonu has made Lalkara that take hold of them and will not allow them to live upon which Ravinder Singh by coming there has made hit of his Dasti Datar upon me which has been received by me near on my right hand's wrist then Gurmeet Kaur has given hit of his Khundi on my Mother in law which has been received by my mother in law on her right side's hip. In the meantime my husband Shamsher Singh also reached on the spot and has also made several efforts to separate but Rajinder Kaur by coming into fury has made several hits of her Dasti Daang upon me out of which one was received on my left hand's thumb and second has been received on my left side of head and third was received on my left shoulder and fourth has been received on my back side of waist by me. In the meantime several people of street were gathered there and accused by



seeing this have fled away along with their weapons and after that my husband Shamsher Singh has taken me, my mother in law into Civil Hospital by arranging vehicle where Doctor Sahib has treated us and Today dated 12.09.2024 Doctor Sahib has discharged us. Reason for enmity is that Rajinder Kaur who is staying in her parental home for about 05/06 years and the back side of her house is attached with our house and who by knowingly treats us badly and the respectable persons of the village have also make her understand several times. Whenever my children went for tuition through the street then she behave badly with them and also threated them. By which my mother in law went/take alongside of my daughters for tuitions. On dated 05.09.2024 Rajinder Kaur and her family members by stopping the way of my Mother in law and by conniving with each other has made injuries to me and my mother in law. To initiate action against the accused till now we alongwith our family member were in discussion. I, today alongwith my husband Shamsher Singh Son of Sukhvinder Singh and Mother in Law Harjinder Kaur were coming before you as per the Information. You met us. Statement has been recorded by us to you which has been heard, read and found it true. Medical result and X-Ray Reports have been presented to you. Legal action be Initiated against the accused. Sd/- Ravinder Kaur aforesald. Verified by Sd/- Varinderjit Singh ASI Police Station Sekhwan Dated 14.09.2024.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the present FIR has been lodged after an unexplained delay of 9 days. He submits that the injury attributed to the petitioner is simple in nature and is on non-vital part of the body. He further submits that the alleged



allegation against the petitioner is not made out as the petitioner is already getting the treatment from Mental Hospital, Amritsar for the mental sufferings being faced by him, therefore, prays for grant of anticipatory bail to the petitioner.

Learned counsel for the petitioner 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 and counsel for the complainant

Learned State Counsel appearing on advance notice on instructions from Investigating Officer and counsel for the complainant vehemently opposes the prayer for grant of concession of anticipatory bail.

Learned State Counsel on continuation of the proceedings from the previous date and the order passed therein on 06.03.2025 informs the Court that CCTV footage was provided by the petitioner which has been examined though on instructions from DSP, Batala, he further submits that the said CCTV footage is not in continuation but the clippings however do not show the involvement of the petitioner in commissioning of the crime. He seeks dismissal of the petition urging that CCTV Footage now has been examined as provided by the petitioner is not absolute piece of evidence and the genuinity of the same cannot be ascertained at this stage.

As far as nature of the injuries is concerned, it has been farily pointed by learned State Counsel that injury attributed to the petitioner is No.5, though it was mentioned to be grievous in the paragraphs No.6 of the affidavit dated 05.03.2025 filed by the SI



Rajwant Kaur, SHO Police Station Sekhwan, but the same is simple in nature as recorded in the MLR.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, as well as after perusing the case file there is unexplained delay of 9 days in lodging the present FIR and the injury attributed to the petitioner is on non-vital part and has been declared to be simple in nature whereas there is a case of cross-version as well which has been lodged at the behest of the petitioner wherein no action has been taken so far. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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 one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

10.03.2025
anuradha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No