



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

CRM-M-13238-2025

Date of Decision:19.03.2025

Gursharanjit Singh @ Bittu

...Petitioner

VS.

State of Punjab

...Respondent

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

Present : Mr. H.P Singh, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

Mr. P.S Guliani, Advocate for
Mr. Aminder Singh, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case DDR No.20 dated 09.08.2024 (Anexure P-2) under Sections 126(2), 118(1), 115(2), 351(2), 351(3), 191(3), 190, 324(4) of B.N.S (later on added 118(2) of B.N.S), registered at Police Station Sherpur, District Sangrur as a cross version to the FIR No. 58, dated 07.08.2024, under Sections 109,115(2),351(2),191(3),190, of B.N.S and 25 of Arms Act, registered at Police Station Sherpur, District Sangrur (Annexure P-1).

2. Learned counsel for the petitioner contends that in fact, the complainant party in the present case was the real aggressor and a FIR No. 58, dated 07.08.2024, under Sections 109,115(2),351(2),191(3),190, of B.N.S and

25 of Arms Act, Police Station Sherpur, District Sangrur was got registered by Amritpal Singh against the present complainant side. Later on, after two days, a GD No.20, dated 09.08.2024 was registered on the basis of statement made by Inderjit Singh against the petitioner and other accused. Thus, it is a case of version and cross-version and the question of aggressor is yet to be decided by the Trial Court only during the course of trial. Learned counsel further contends that even as per the admitted case of the prosecution, the petitioner was carrying an iron pipe and had caused an injury on the right side of forehead of Inderjit Singh, complainant/injured and the said injury has already been declared to be simple in nature. He further contends that co-accused Harwinder Singh, Amritpal Singh @ Major and Satwant Singh were arrested by the police in the cross version and no recovery is to be effected from them. He further contends that in fact, even four persons had suffered injuries on the side of the present complainant side, whereas, four persons on the side of the petitioner had also suffered injuries in the occurrence. Thus, the present petition deserves to be allowed by this Court.

3. Reply by way of an affidavit of Superintendent of Police, Sub Division Dhuri, District Sangrur has been filed on behalf of respondent-State and the same is taken on record.

4. 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 petitioner on the ground that the petitioner is involved in a serious crime. Learned State counsel submits that the petitioner and his co-accused had opened a murderous assault on the present complainant side and the petition deserves to be dismissed by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully in the present case.

6. In the present case, four persons each had suffered injuries on the complainant side as well as the accused side. As per the version of the prosecution, the petitioner had caused an injury with an iron pipe on the right side of forehead of Inderjit Singh, complainant/injured and the said injury has already been declared to be simple in nature. Moreover, it is a case of version and cross-version and the question of aggressor is yet to be decided by the Trial Court.

7. Thus, without commenting any further, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the 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 B.N.S.S.

19.03.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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