



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

CRM-M-12836-2025

Date of Decision:07.03.2025

TARSEM SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. J.S. Warring, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab.

SANDEEP MOUDGIL, J. (Oral)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of B.N.S.S. for grant of anticipatory bail to the petitioner in case F.I.R. No. 24 dated 19.02.2025 under Sections 333, 115(2), 3(5) of BNS, 2023, registered at Police Station Nehianwala, District Bathinda [Annexure P-1).

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

“This time, it is registered that I, SI alongwith fellow employees came back to Police station from Civil Hospital, Goniana Mandi after recording the statement of injured, the contents of which are as, "Statement of Jagsir Signh@ Seera son of Lila Singh son of Bahadur Singh, resident of Kothe Nathiana, Villge Mehma Sarja, District Bathinda, age 37 years (Mobile NO.94782-73898), Stated that I am resident of the above mentioned address and I work as a private driver. Yesterday i.e. on 15.02.2025 at about 01.00 PM, Sukhmander Singh @ Mander son of Ajaib Singh, resident of Kothe Nathiana called me from his Mobile No.75290-27841 on my Mobile Phone No.94782-73898 and told that what is your dispute with Tarsem Singh. I told him that I had no quarrel with anyone then Sukhmander Singh started cursing me and I had hung up my



phone. At that time, I was present at the shop of my friend Labh Singh son of Resham Singh, resident of Kothe Natheana at Nehiawala. Time would be 02.00 PM, I had come to my house. At that time, Manpreet Kaur, Sarpanch, her husband Tarsem Singh, Rajwinder Singh son of Tarsem Singh, Harpreet Singh son of Sukhjinder Singh, Sukhmander Singh son of Ajaib Singh, Sikander Singh son of Ajaib Singh were standing in our street and shouting loudly. I quietly went inside my house. At that time, my younger brother Satvir Singh was standing outside our house in the street. Then all these people test how and they arrived, they started heating samprent Kauwa buding devile m her hand whe hit me at the back as soon as the artend Tarsem Singh give how with the rod at the back of my toed, winder Singh gave blow with the danda at the left side of my head, Harpreet Singh sin gave blow with the danda in connivance with his associates They beat op my brother and my mother Ourmail Kaur and Sukhmander Singh and Sikander Singh threw bricks at the dear of our house. When we shouted, our neighbourers also came to us then the aforesaid persons fled away from the spot alongwith their respective weapons. Then my family members arranged the conveyance and got admitted me and my brother Satvir Singh in Civil hospital, Goniana Mandi due to having received multiple injuries where, I and my brother Satvir Singh are under treatment. The bone of contention is that there are two MANREGA groups in the village, one of which run by me, those who want to run our group with us due to which, they have given beating to us. So it is requested that legal action be taken against these persons. I got my statement recorded to you, heard, which is correct. 5d/- jagsir Singh, confirmed by Sd/-Satvir Singh son of Lila Singh, verified by Sd/-Iqbal Singh, ASI, Police station Nehiawala, Dated: 16.02.2025. POLICE PROCEEDINGYesterday i.e. on 15.02.2025, I was present in the police station then Head Munish has informed me that Jagsir Singh son of Lila Singh and Satvir Singh son of Lila Singh, residents of Kothe Nathiana, Village Mehma Sarja are admitting in the civil hospital, Goniana Mandi due to the fight etc, so action be taken. On this, I, SI due to engage in some other official work,, the action could not be taken. So, today, I SI alongwith HC Rajinder Singh No.2165/Bathinda, PHG Gurmeet



Singh No.21289 after obtaining the ruqa from the police station reached at Civil hospital, Goniana Mandi for taking action where, I obtained the written opinion of the doctor for recording the statement of injured Jagsir Singh and Satvir Singh. That the doctor has opined that that the aforesaid injured are fit for the statement. The MLR 21No.601/2025/SG/GN pertaining to insured lagter Singh and MUR No.802/2025/91/GN pertaining to tjured Satvir Singh have been checked in the revend in the MLR of injured Jagsir Singh, total 03 injuries have been shown to be biont bry the doctor and all the three injuries have been kept under X-ray. In the MLR of injured Satvir Singh, total 02 injuries (Blunt) have been shown by the doctor. That both the injuries have been kept under X-ray. Then 1, St alongwith fellow employees reached near the bed of injured Jagsir Singh and the contents of his statement have been read over to him who after admitting the same to be true, put his signatures in Punjabi and his statement has been confirmed by the injured Satvir Singh and has been verified by me. On perusal of the statement and aforesaid both MLRs, offence under section 115(2), 3(5) of BNS is made out. The injured Jagsir Singh, in his above statement has written about Jaspreet Kaur, Sarpanch and others going to his house and beating him, his brother Satvir Singh and his mother, this needs to be investigated. The matter seems suspicious. After investigation and subsequent treatment of injured Jagsir Singh and Satvir Singh, and record and medical opinion, the action will be taken accordingly. The entry of the statement will be made in the CCTNS on return. Sd/- Iqbal Singh, ASI, Police station Nehiawala, Dated: 16.02.2025.Today, at Civil hospital, Goniana Mandi at 2.40 PM. The entry of the statement is being made in the Daily diary. POLICE PROCEEDING Today 1, Sl alongwith HC Rajinder Singh No.2165/Bathinda was present in the police station alongwith PHG Gurmeet Singh NO.21289 then report No.14 dated 16.02.2025 pertaining to Injured Jagsir Singh @ Seera son of Lila Singh and report No.20 dated 16.02.2025 pertaining to Gurjant Singh son of Malkita Singh, residents of Kothe Nathiana, Village Mehma Sarja with regard to the fight took place on 15.02.2025, for obtaining the record and inquiry, I reached at the place of occurrence/house of injured Jagsir Singh and Satvir Singh sons of Lila Singh at Kothe Nathiana where,



injured Jagsir Singh and Satvir Singh have been found present longwith their family members. On this, I. St sent HC Rainder Singh to call the people of the neighborhood. After sometime, Gura Singh son of Mangat Singh Parmeet Kaur wife of Gursewak Singh, Amandeep Kaur wife of Labh Singh, Badal Singh son of Bikkar Singh, Jaspal Singh son of Balvir Singh, Gorsewak Singh son of Naib Singh, residents of Kothe Nathiana came to me at the spot and they have been made aware about the facts and circumstances of the case and then interrogated them after joining the investigation. In addition to the aforesaid statement, a secret investigation was conducted by me from the surrounding area. On perusal of the statement and my secret investigation, it has been stated that Tarsem Singh son of Gurjant Singh, Sukhmander Singh, Sikander Singh sons of Ajaib Singh and Harpreet Singh son of Sukhjinder Singh have entered the house of the injured Jagsir Singh and his brother Satvir Singh on 15.02.2025 at about 02.00 PM and inflicted injuries to them and have pushed their mother Gurmail Singh. Jaspreet Kaur, Sarpanch wife of Tarsem Singh and Rajwinder Singh son of Tarsem Singh have been found to be standing in their street but nothing has come into light that they entered into the house of injured Jagsir Singh and inflicted injuries to them. On perusal of the aforesaid statement, offence under section 333, 115(2), 3(5) of BNS is made out. On this, the aforesaid report on which, by writing police proceeding, is hereby sent to the police station for registration of case against Tarsem Singh son of Gurjant Singh, Sukhmander Singh, Sikander Singh sons of Ajaib Singh and Harpreet Singh son of Sukhjinder Singh, residents of Kothe Nathiana. During the investigation, if the role of another person come into light, he/they can be named in the aforesaid case. Number be informed after registration of case. Special reports be issued and intimation be given at DCR Bathinda and senior officers. I, SI alongwith fellow employees are busy in the investigation. Sd/ Iqbal Singh ASI Police station Nehiawala Dated: 19.02.2025. Today in the area of Kothe Nathiana Village Mehma Sarja at 06.35 PM. On receipt of the aforesaid report in the police station, the above mentioned case has been registered against the aforesaid accused and the record has been updated. Intimation is being sent at the DCR Bathinda.



Copies of FIRs are being sent to the laqa Magistrate and senior officers. The original statement alongwith copy of FIR are hereby sent to the SI Iqbal Singh No.1251/Bathinda through PHG Gurmeet Singh No.21289.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR out of vengeance as complainant is unnecessarily targeting the family of the petitioner as the wife of petitioner is the sitting Sarpanch of the village and just to establish control the entire MANREGA work scheme of the village the complainant is continuously trying to involve the petitioner's family into legal intricacies. He further submits that there is no truth involved in the incident, as alleged by the complainant, rather the complainant, himself is a history sheeter criminal, who has been convicted under section 302 IPC. He further submits that the complainant party inflicted the injuries to the father of the petitioner namely Gurjant Singh by illegally trespassing into the house of the petitioner and in order to pressurize them complainant got registered the present FIR and just to settle the matter a cross-version case in the present case has been registered vide DDR no.39 dated 12.2.2025, which deals with the injuries, which been caused upon Gurjant Singh-father of petitioner. He further submits that co-accused Sukhmander Singh and Sikander Singh was also granted bail vide order dated 28.02.2025 passed by the Additional Sessions Judge, Bathinda.

On behalf of the State

Learned State Counsel appearing on advance notice, on



instructions from the Investigating Officer, vehemently opposes prayer for grant of concession of anticipatory bail stating that specific allegations of causing head injury with the iron rod have been made against the petitioner and the same are serious, therefore, prays for dismissal of the petition.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, that there is a political rivalry between the parties since the wife of the petitioner is sitting Sarpanch of the Village and complainant is unnecessarily harassing their family. On a specific query put to the State Counsel by this Court, he has verified the MLR and submitted that injury attributed to the petitioner has been declared as simple in nature as the complainant himself is convicted under Section 302 IPC and the victim of cross-version case. Hence, this Court finds no cogent 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**

In the light of above, the petitioner is hereby directed to be released on anticipatory bail subject to him 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 one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

07.03.2025

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