

2025:PHHC:034007



109

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

**CRM-M-13622-2025
DECIDED ON: 11.03.2025**

AJAY KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.S. Simble, Advocate and
Ms. Swati Verma, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.17, dated 21.01.2025, under Sections 115(2), 118(1), 117(2), 351(2), 3(5) of BNS, 2023 (Sections 238 of BNS added later on), registered at Police Station Civil Lines, Batala, District Gurdaspur.

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

“Statement of Ranjit Singh Son of Rashpal Singh resident of sundar Nagar Batala aged about 44 years mobile number 7009327911 stated that I am resident of above said address and I am running a shop of medicines at Gandhi chowk Batala. On dated 19/12/2025 at about 9:15 PM that after closing my shop I was

going to my house on my motorcycle bullet number PB 07 F 7086 that when I reached T point alival dera road batala below the bridge then Ajay son of kulwant resident of Gandhi camp armed with spade handle and Arshi son of Pawan Kumar alias Pamma resident of Darassalam armed with dattar. forcibly stopped my motorcycle and when I was stepping down from the motorcycle then Arshi raised a lalkara that teach him a lesson for demanding money and gave straight datar blow in front of my head, in the meantime above said Ajay gave spade handle blows on my nose and thereafter gave another blow on my nose and 1 more blow hit on my upper lip and one more blow hit on my left shoulder. I fell down and, in the meantime Arshi gave reverse datar blow to me which hit on my left arm. Arshi gave two reverse daughter blows to me which hit on my head and right knee. I raised alarm and on seeing people started gathering there all the accused persons ran away while giving threats. On hearing the shouts my brother Amrit pal Singh also came at the spot who arranged the vehicle to got me admitted in civil hospital batala where doctor conducted my MLR. Reason behind grudge is that above said Ajay had taken 035,000 from me one year back on the name of installing meter in my shop but he could not do it and also not returned the money. I was demanding back my money. Due to this grudge above said Ajay and Arshi stopped my way and inflicted me injuries. Action may kindly be taken against them statement is given which is correct”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is a delay of more than two days. He further submits that as per the version of the prosecution the petitioner was armed with spade handle and gave blows to the complainant Ranjeet Singh, which hit on his nose and lip i.e., non-vital parts of body. He

asserts that as per the *medico legal report* dated 19.01.2025 (Annexure P-4), the injuries are not declared as grievous in nature.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that all the accused persons gave 7 injuries in *toto* on the person of victim, but he could not controvert the fact that the injury attributed to the present petitioner is declared as grievous in nature.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that admittedly the injuries attributed to the petitioner are not dangerous to life as per the *medico legal report* dated 19.01.2025 (Annexure P-4) and the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief**

Hence, the petitioner is directed to be released on anticipatory bail subject to his 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 a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

11.03.2025

Meenu

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