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

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**CRM-M No.14457 of 2025
Date of decision: 07.04.2025**

Hira Ram and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Naveen Bawa, Advocate,
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioners under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in cross case/DDR No.21 dated 19.06.2024 registered under Sections 323, 324, 148 and 149 of IPC (Section 326 of IPC added later on) at Police Station Jandiala, District Amritsar in FIR No.147 dated 18.06.2024 registered under Sections 323, 324, 148 and 149 of IPC (Section 326 of IPC added later on) at Police

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Station Jandiala, Distrit Amritsar Rural.

2. As per the allegations, **FIR No.147** dated 18.06.2024 was registered at Police Station Jandiala, Distrit Amritsar on the basis of statement recorded by Mohan Ram levelling allegations against one Gurmeet Ram and six more persons, of assaulting and causing injuries to him. On 19.06.2024, the aforementioned **DDR No.21** was registered on the basis of statement of the above named Gurmeet Ram making allegations that the present petitioners along with the co-accused had assaulted his brother Valaiti Ram, cousin brother Bikramjit Singh and himself after forming membership of an unlawful assembly. Apprehending their arrest, the petitioners filed an application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 04.11.2024.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. The abovementioned DDR is a counterblast to the FIR lodged by Mohan Ram who is one of their family members. There is inordinate delay in reporting the matter to the police. The injuries which have been attributed to both of them are simple in nature. They have clean antecedents. It is a case of version and cross version. Their custodial interrogation is not required. They were even directed to the join investigation by the Court of learned Additional Sessions Judge, Amritsar. It was only on account of some

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miscommunication with their lawyer that they could not join the same which resulted into dismissal of their application. They are ready to join the investigation and abide by the terms and conditions to be imposed. Accordingly, it is urged that the petition deserves to be allowed.

4. Status report has already been filed. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioners who had caused injuries on the head of above named Gurmeet Ram and had injured little finger of left hand of Gurmeet Ram. For conducting thorough investigation, their custodial interrogation is must. Accordingly, it is urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioners are alleged to have formed membership of an unlawful assembly with the co-accused on 16.06.2024 and in pursuance thereof to have caused simple as well as grievous injuries to Gurmeet Ram and his companions. An FIR had already been registered against the above named Gurmeet Ram and members of his party on 18.06.2024. There are rival versions of both the parties and it is only on thorough assessment of the evidence to be produced during trial that it can be determined as to who was the aggressor. The injuries that have been attributed to the petitioners are simple in nature. Keeping in view the nature of the allegations as levelled against the petitioners, I am of the

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considered opinion that their pre trial incarceration is not required. Accordingly, the petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest, on the following conditions:-

- (i) They shall furnish requisite personal/surety bonds to the satisfaction of the Arresting officer/investigating officer by appearing before him within a period of ten days;
- (ii) They shall appear before the Investigating Officer as and when called subsequently and submit all documents and details as may be called upon by him.
- (iii) They shall not tamper with the evidence or cause any threat or to any of the prosecution witnesses in any manner.
- (iv) In the event of violation of any of the abovesaid terms, their bail shall stand automatically cancelled.
- (v) They shall not leave the country without prior permission of the trial Court.
- (vi) They shall regularly appear before the Court on every date of hearing and also and when called upon to do so during the course of trial.

7. It is further clarified that the observations made above are only for the purpose of consideration of application for anticipatory bail and

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the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

07.04.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No