



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15909-2025
DECIDED ON: 24.03.2025

MANDEEP SINGH @ SUNNY

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Nitin Gupta, 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 in FIR No.07, dated 17.02.2025, under Sections 109, 125, 3(5) BNS, 2023, Section 25 Arms Act, 1959, registered at police station Tarsikka, District Amritsar (Rural).

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

“Statement of Karam Singh son of Milkha Singh resident of Muchal age about 60 years mobile number 9501003459, stated that I, am resident of above mentioned address and is doing the work as mason. On 16.02.2025 at about 7:30 PM I, was standing outside my house in street, that one Sunny son of Sukha Singh resident of Muchal arrived in white colour car make Cruz and was holding one pistol accompanied with 3-4 unknown person who were also holding weapons and on

the other hand one Lakhwinder Singh @ Khinda son of Avtar Singh resident of Muchal was also holding one pistol and was also accompanied with 3-4 unknown person who were also holding sharp edged weapons. That Sunny who was holding pistol was firing gunshots at Lakhwinder Singh @ Khinda and party and on the other hand Lakhwinder Singh @ Khinda was also firing gunshots at Sunny and party. During the exchange of these firings, one gunshot injury occurred at the leg of one Manpreet Singh son of Tarsem Singh resident of Muchal who was standing outside his home in the street. Upon this number of people got gathered in the street and both the parties were also abusing each other. On seeing the gathering of people both the parties tried to flee along with their weapons. That Sunny and his 3-4 unknown accomplices along with their weapons tried to flee in their car and in such attempt he drove car in negligent and rash manner with intention to kill he hit the car in me, causing fracture in my leg. That my son Sahib Singh arranged for vehicle and admitted me in Guru Nanak Dev Hospital, Amritsar for treatment and there you have come present to record my statement. Statement recorded and heard which is correct. Action may be taken”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the sole injury attributed to the petitioner is the rash and negligent driving of a car, which struck the complainant and caused a fracture on non-vital part of the body. He further contends that as per the CCTV footage, it can be seen that the petitioner was never in possession of any weapon during the incident and it

was the co-accused Lakhwinder Singh @ Khinda, who was holding pistol in his hand and was aggressor in the whole incident. It has been further contended on behalf of the petitioner that he is ready and willing to join the investigation and cooperate with the investigating officer concerned.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. He further contends that the petitioner is alleged to have driven his vehicle in a dangerous manner and caused grievous hurt to son of Karam Singh with his car.

4. **Analysis**

Be that as it may, considering the fact that the sole injury attributed to the petitioner is the rash and negligent driving of a car, which struck the complainant and caused a fracture on non-vital part of the body and the fact that the petitioner is ready and willing to join the investigating and cooperate with the investigating officer concerned in addition to the fact that custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

5. **Relief**

In the light of above, the petitioner is 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 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

24.03.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No