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

CRM-M-18136-2025

Date of decision: 02.04.2025

Ronnie Singh Salh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Tarun Seth, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab and
Mr. Deepender Singh, Addl.A.G., Punjab
for the respondent-State.

Ms. Bisman Mann, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.0069 dated 22.03.2025 under Sections
109/310/115(2)/117(1)/117(2)/126(2)/351(2)/190 of BNS registered at Police
Station Civil Lines Patiala, Distrit Patiala (Annexure P-1).

2. Briefly, the facts, as alleged, are that on 13.03.2025, around 12:15 AM, Col. Pushpinder Singh Bath and his son- Angad Singh were travelling in their car and decided to stop at Harbans Dhaba, outside Rajindra Hospital, Patiala. Subsequently, about 7-8 men, including the petitioner, in civilian clothes, alighted from a Scorpio car and got into a scuffle with them over



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parking. They physically assaulted the complainant party with fist blows, kicks and using sticks and iron rods. The assailants snatched the Army ID card and a mobile phone from the complainant. They also told them to collect the same from ACP Civil Lines, if they survive their injuries.

3. The learned senior counsel for the petitioner *inter alia* contends that the incident has taken place on the intervening night of 13th – 14th, March, 2025. Two DDRs No.12 & 13 were recorded on 14th, March, 2025, on the statements made by Constable Randhir Singh and complainant, Col. Pushpinder Singh Bath. The version and cross-version was duly reduced into writing by recording respective DDRs. In terms of Section 173(3) of BNSS, a preliminary inquiry was initiated. In the meantime, the FIR was got registered on the statement of the owner of the place where the alleged incident had taken place. The petitioner, along with other three police officials, have been suspended and posted out of the District and further, the Magisterial inquiry was ordered on 20.03.2025. The complainant was not satisfied with the Magisterial inquiry and on their insistence, the initial version as recorded in the DDR was reduced into FIR (Annexure P-1). Admittedly, the brawl had taken place between the parties over parking and neither the petitioner nor the complainant, at the time of incident, was in their uniform. As per the case set up by the complainant, it has been alleged that accused side started the fight, however, no specific role has been attributed to the petitioner and the allegations are with regard to abuse and scuffle. Additionally, no opinion regarding the injuries being dangerous to life to invoke the provisions of Section 109 of BNS by the Doctor who has examined the complainant, has been taken. Further, the complainant has

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alleged that the assailants have identified themselves and in this manner, their names were mentioned initially. Moreover, in the absence of any specific injury to the petitioner and any specific opinion with regard to any of the injuries being dangerous to life, the factual ingredients of Sections 109 and 310 of BNS are clearly missing. The footage of CCTV camera at the place of occurrence has been taken into possession by the complainant which has now been sent to CFSL, Chandigarh and the report is yet to come. Further still, it is yet to be established which party is the aggressor as both the parties in the version and cross-version have suffered injuries and on the insistence of the complainant, the investigation is being carried out by the SIT consisting of two IPS officers headed by a police officer of the rank of the ADGP is investigating the case. Lastly, learned counsel for the petitioner submits that the petitioner undertakes to fully cooperate with the investigation and he may be allowed to join the investigation.

4. Learned counsel for the complainant, per contra, opposes the prayer made by the petitioner on the ground that the petitioner remained posted in District Patiala and being a police official, he is a person of influence who can tamper with the evidence and also influence the witnesses. The local police have not acted because of his influence and after 08 days of the alleged incident, the Magisterial inquiry was ordered when the wife of the complainant met the Governor of Punjab. The complainant himself is the first informer and after the incident he immediately got himself medically examined. The medical record of the complainant reveals that he had not consumed any alcohol. Further, the complicity of the petitioner is duly established as per his own admission being present at the spot and the petitioner has not got himself



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examined from a Government Hospital rather chose to get himself examined from a private hospital. The jurisdictional police authorities are acting under the influence of the petitioner and have got registered FIR No.65 dated 15.03.2025 (Annexure P-4) initially on the complaint of the owner of the *dhaba* just to avoid the process of law and to manipulate the real facts. The petitioner has been duly named by the complainant immediately after the alleged incident. Lastly, it has been argued that in view of the peculiar facts and circumstances of the case, the petitioner is not entitled to any relief.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it appears that the petitioner has not approached the Court of Sessions before approaching this Court. Therefore, without commenting anything on the merits of the case lest it may prejudice the case of either of the parties, the present petition is disposed of.

6. However, a liberty is granted to the petitioner to approach the learned Sessions Judge, at the first instance within a period of three days and till then, the arrest of the petitioner shall remain stayed.

(HARPREET SINGH BRAR)
JUDGE

02.04.2025

Neha

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