2025:PHHC:062872

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19765-2025
Date of decision:-12.05.2025

SUKHMAN ALIAS SUKHMANPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sandeep Arora, Advocate, for the petitioner.

Mr. Jatinder Pal Singh, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
03	09.01.2025	115(2), 296, 190, 333 of BNS	Division No.4, Jalandhar

2. Arguments heard.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case, the alleged injury attributed to the petitioner are simple in nature. He contends that petitioner is not having any criminal antecedents and as such, prayed for grant of concession anticipatory bail to the petitioner.

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4. Per contra, learned State counsel referring to the reply submitted by the State and assisted by ASI Joginder Pal has opposed the bail petition by arguing that petitioner has given multiple blows on the complainant and his daughter-in-law, after forcibly entering into their house at midnight. He submits that the petitioner gave multiple blows with his iron karra on the head of the complainant and the accused alongwith other co-accused also tried to drag the daughter-in-law of the complainant forcibly from the house, in these circumstances, custodial interrogation of the petitioner is required to recover the iron karra used in the crime, hence prayed for dismissal of the bail petition.

5. After considering the rival contentions and perusing the record, it is observed that as per the case of the prosecution, the FIR was registered by the complainant aged about 64 years alleging that on the intervening night of 4/5.01.2025 the petitioner alongwith co-accused Sahib alias Sabi, Akash and two unidentified persons alongwith two girls under intoxicant condition were there in the flat at first floor. At about 01:15 am in the midnight, petitioner and co-accused Sahib @ Sabi knocked the door of the flat of petitioner loudly on which his daughter-in-law Pinki opened the door. The petitioner alongwith other co-accused asked for ice from her on which daughter-in-law of the complainant told that these were winter days and they were not having ice in the fridge, on which, the petitioner started giving filthy abuses. The complainant, while lying in his bed asked the petitioner not to abuse, on which the petitioner alongwith Sabi forcibly entered the house of the complainant and pulled him out of the bed and by throwing him on the ground by dragging him, gave iron karra blow on the left side of his

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head with an intent to kill him, due to which blood started oozing out. Co-accused Sahib @ Sabi having an iron rod gave blow on the middle of the head of the complainant with an intent to kill him. Accused Akash also came there and gave blow with his mettle bracelet and unidentified persons accompanying the accused also gave fist blows on his face and nose, as a result of which he fell down. As the complainant fell down, the assailants tried to take away his daughter-in-law Pinki with bad intention, on alarm being raised, one Taranjit came there and rescued them but in the process the assailants also gave fist blows on his face and the petitioner pulled his turban while co-accused Akash dragged him by pulling his hair.

7. The perusal of record, reveals that there are specific allegations against the petitioner of having forcibly entering the house of the complainant in the midnight and causing multiple injuries to the complainant with his iron karra and also tried to forcibly drag the daughter-in-law of the complainant with bad intention. Therefore, considering the serious nature and gravity of the offence, no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequent, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

12.05.2025
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i) Whether speaking/reasoned? Yes/No
ii) Whether reportable? Yes/No

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