



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

CRM-M-20060-2025

Date of Decision:02.05.2025

Gurpreet Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vineet Kumar, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. M.S.Saini, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.0062 dated 22.07.2024 registered under Sections 118(1), 126(2), 351(2), 3(5) of BNS, (Section 118(2) added later on), at Police Station Sadar Rupnagar, District Rupnagar.

2. Learned counsel for the petitioner contends that in fact, the petitioner was not present at the place of occurrence and he does not belong to the place, where the occurrence has taken place. He further contends that even the tower location of his mobile phone will falsify the prosecution version. The petitioner has been involved in the present case because, unfortunately, he happens to be the foster father of MS @ M (Juvenile), who was allegedly present at the place of occurrence. He further submits that MS @ M (juvenile) has already been granted the concession of anticipatory bail by this Court, vide

order dated 18.03.2025 (Annexure P-4). He further contends that the Investigating agency should have investigated the facts regarding the presence of the petitioner at the spot and without verifying the facts, the petitioner is sought to be arrested by the police.

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Rupnagar, District Rupnagar has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner and submit that the injured, namely, Sanjay had suffered a incised wound, which extended from right wrist joint to right index finger and right middle finger measuring about 10 cm x 5 cm x 2.5 cm with underlying tissue exposed and the bleeding from vessel was present. Learned counsel further contend that the injured Sanjay was referred to PGIMER, Chandigarh for further management of his injuries. They further contend that the doctors at PGIMER, Chandigarh had issued a certificate with regard to fitness of Sanjay-complainant and his statement was recorded. They further contend that during the course of investigation, MS @ M was held to be a juvenile and has been admitted to bail. Learned counsel further contend that an opinion was taken from the doctor of PGIMER, Chandigarh and the injury on the right hand of Sanjay, complainant has been declared to be grievous and it was stated to be caused with a sharp edged weapon. Even during the process of investigation, it has been found that the petitioner was present at the place of occurrence and he had caused an injury with sharp edged weapon on the person of Sanjay and the said injury has been declared to be grievous in nature.

4. I have heard learned counsel for the parties and perused the record carefully.

5. In the present case, as per the version of the prosecution, the presence of the petitioner was found at the place of occurrence and has been attributed a serious injury on the person of Sanjay with a *gandasi* (sharp edged weapon). Even it has been found that the doctors at PGIMER, Chandigarh have already declared the said injury to be grievous in nature.

6. Thus, keeping in view the gravity of the offence, the petitioner is not entitled to grant the concession of anticipatory bail and the petition is ordered to be dismissed.

7. Ordered accordingly.

(N.S.SHEKHAWAT)
JUDGE

02.05.2025
hemlata

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