

**CRM-M-20920-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.213****Case No. : CRM-M-20920-2025****Decided On : August 04, 2025**

Gurmej Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. G. S. Bajwa, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

Mr. B. D. Sharma, Advocate
for the complainant.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in case GD/cross-case No.14 dated 01.02.2025, under Sections 115(2), 118(1), 190, 191(3) of Bharatiya Nyaya Sanhita (BNS), 2023 (Section 118(2) BNS added later on), arising out of FIR No.162 dated 27.12.2024, under Sections 115(2), 118(1), 118(2), 3(5) of BNS, registered at Police Station Majitha, District Amritsar.

Brief facts of the case are that the aforesaid FIR was registered on the basis of statement made by one Lakhbir Singh, wherein it was stated that on 30.10.2024, at about 07:00 PM, he was present at his shop when Darshan Singh came on his Swift Dzire Car. Along with him, Ramesh armed with *Shuri* (knife), Balkar Singh empty handed, Lovepreet Singh

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armed with *Sota* (stick) and Hira Singh also came. Ramesh Singh picked him and smashed him on the ground and while he was lying on the ground, Ramesh Singh caused injuries on his little finger of left hand and little finger of left foot. It was further alleged that the co-accused namely Lovepreet Singh caused injury on his waist with *Sota* and when he raised hue and cry, Gurmej Singh, Satnam Singh and Kuldeep Singh came for his help. In this scuffle, Gurmej Singh was also attacked By Ramesh, thereby causing injury between his thumb and forefinger of left hand. The accused persons also took away Rs.25,000/- from the safe of the complainant's shop.

After registration of the aforesaid FIR, cross-case i.e. GD No.14 dated 01.02.2025 was registered on the basis of statement made by aforesaid Lovepreet Singh, wherein it was alleged that on 30.10.2024, at about 07:00 PM, he was buying soda from Harbhajan Grocery Shop. His friend Ramesh Singh went to the shop of Lakhbir Singh to buy meat, where they had arguments. Upon hearing noise, he also went inside the shop and saw the petitioner armed with *datar* and some other persons also armed with *datar*. Kuldeep Singh and Satnam Singh raised *lalkara* to catch hold of them and teach them a lesson for quarreling with them. It was further alleged that the petitioner caused injury on the left side of his head with a blow of *datar* and Kulwant Singh caused injury on the left side of his neck with *datar*.

Learned counsel for the petitioner contended that it is the complainant party in the cross-case, who actually inflicted injuries to the present petitioner. The cross-case has been registered just to pressurize the petitioner to compromise the matter. The concerned doctor found the injury

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no.1 attributed to the petitioner to be doubtful and injuries no.2, 3 and 4 have been declared simple in nature. It is submitted that nothing is to be recovered from the petitioner and he is not required for custodial interrogation for any purpose and therefore, he be granted concession of anticipatory bail.

Status Report dated 03.08.2025, by way of affidavit of Pawan Kumar, PPS, Deputy Superintendent of Police, Sub-division Majitha, Amritsar (Rural), on behalf of respondent-State, has been filed in Court today, which is taken on record.

Learned State counsel, on the other hand, has opposed the present bail petition while contending that the petitioner was arrayed as an accused in the cross-case. There are specific allegations against the petitioner that he inflicted *datar* blow on left side of head of the complainant Lovepreet Singh. The corresponding injury has been declared grievous in nature with sharp edged weapon. Therefore, keeping in view the seriousness of allegations qua the petitioner, he is not entitled for bail.

Heard.

In the Status Report filed by learned State counsel today in Court, it has been alleged that the said injury was declared grievous in nature. The opinion given by the doctor concerned has been reproduced in para 6 of the Status Report, which reads as under :-

“Keeping in view the above mentioned MLR, X-ray report vide no.SK/120/2024 dated 04/11/24 with 5 X-ray films, NCCT Head report vide no.186/APS/24 dated 18/11/24, Guru Nanak Dev Hospital Treatment record with vide CR No.100646, surgery unit 3 (Total Pages – 1 to 36)



and Police report of the patient, I am of the opinion that, Injury no.1 may be considered as Grievous in nature as the findings in the NCCT Head shows fracture of left parietal bone is seen in the given NCCT film, as reported by the radiologist, are not consistent with MLR. Possibility of the underlying fracture to be inflicted as a result of friendly hand could not be ruled out, moreover investigating officer has not recovered any weapon of offence, hence the I.O. is again directed to take the circumstantial evidences into consideration.”

Thus, the aforesaid injury no.1 has been declared grievous in nature by the doctor concerned. Whether it had been caused with a friendly hand or not, is a matter of trial.

Keeping in view the gravity of offence and seriousness of allegations qua the petitioner, no ground for granting anticipatory bail to the petitioner is made out.

Dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

August 04, 2025
monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.