

2025:PHHC:057735



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

**CRM-M-22876-2025
DECIDED ON: 02.05.2025**

DALER SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Raghav Soni, Advocate
for the petitioner.

Mr. Sandeep Singh, AAG Punjab.

Ms. Manmohan Kaur, Advocate for the complainant

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

This is First Petition under Section 482 B.N.S.S. for grant of Anticipatory Bail to the petitioner in FIR bearing No. 213 dated 20.11.2024, registered under Sections 109, 191 (3), 190, 324 (4), 333, 351 (3) of BNS, 2023 and section 25 and 27 of Arms Act, 1959 at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1)

2. Facts

Facts as narrated in the FIR reads as under:-

“Statement of Baljinder Singh S/o Desa Singh S/o Tahil Singh resident of Naune, Police Station Sadar Tarn Taran, District Tarn Taran, aged about 40 years, Mobile Number 8968364930, states that

I am resident of the above-mentioned address and do work of agriculture. I have one daughter namely Ramandeep Kaur and one son namely Robanpreet Singh. We are six brothers. My eldest brother is Milkha Singh, younger to him is Surjit Singh, then Amrik Singh, then Kabal Singh, and then myself Baljinder Singh. My brother Kabal Singh passed away about 1½ years ago, who had five daughters and one son namely Sandeep Singh, whose mental condition was not good and who also could not speak properly. Harbhajan Kaur W/o Late Kabal Singh, resident of Naune, who now, along with her family, resides with her son-in-law namely Nishan Singh S/o Major Singh, resident of Moose, had fraudulently got the land transferred to her own name through a forged will in the name of her son namely Sandeep Singh. My nephew namely Sandeep Singh was also married, but due to the interference of my sister-in-law namely Harbhajan Kaur and son-in-law namely Nishan Singh, the marriage ended in divorce. All our brothers jointly owned about 18 acres of land. The land was not formally partitioned, we divided it verbally, and we received 19 kanals of land as our share. However, my sister-in-law namely Harbhajan Kaur and her son-in-law namely Nishan Singh inconnivance with each other and sold the land to Santokh Singh Sukha. Later, Santokh Singh sold the land to Amritpal Singh S/o unknown, resident of Mehima Pandori. We opposed this, insisting that the land should be sold only according to the portions we received. However, Harbhajan Kaur was not willing to accept this. Regarding which, today, i.e., on 19.11.2024, the respectables of village tried to made the matter compromise, which could not be succeeded. Amritpal Singh, along with his associates, forcibly took possession of the land and sowed wheat crops there. That on 19.11.2024, time would be around 09 in the night, Amritpal Singh, along with his two associates namely Jindi and Joopa, came and started abusing. The respectable of village intervened, made them understand and sent them back. Then around 11:00 PM, my sister-in-law namely Harbhajan Kaur W/o Late Kabal Singh, at present resident of Moose, along with her daughter Manpreet Kaur D/o Kabal Singh, her son-in-law namely

Nishan Singh S/o Major Singh resident of Moose armed with 12 bore gun, Giddu S/o unknown resident of Rajewala Khuh armed with a 12-bore gun, Joopa S/o unknown resident of Bandala armed with a rifle, Daler Singh S/o unknown resident of Bandala armed with a rifle, Shera Singh S/o unknown resident of Bandala armed with a pistol, Bindu S/o unknown resident of Bandala armed with a datar, Babba S/o unknown resident of Bandala armed with a dang, Happy S/o unknown resident of Moose armed with a baseball, and 8/9 other unidentified persons came outside our house. That Harbhajan Kaur raised lalkara that today catch hold them and let them learn for opposing the sale of the land. In the meantime, Nishan Singh S/o Major Singh resident of Moose fired directly towards our house with his gun, with an intention to kill, which hit the Gopal Singh S/o Beer Singh resident of Naune on the left side of his thigh. Other associates also fired shots with their respective weapons. We all family members hid and saved our lives. That the abovesaid persons forcibly entered the houses of myself and Surjit Singh S/o Desa Singh resident of Naune, broke down doors, windows, cars, motorcycles, and other household items badly. We raised alarm of "Maar Dita Maar Dita", then all the accused alongwith their weapons ran away from the spot, leaving their car bearing No. PB 02DM0957 make Swift. We arranged a vehicle and got Gopal Singh S/o Beer Singh resident of Naune admitted to Guru Nanak Dev Super Specialty Hospital, Tarn Taran. You have come to the spot. Statement has been recorded to you, heard and is correct. Strict legal action be taken against abovesaid accused persons. I am complainant. Sd/- Baljinder Singh. Attested Sd/- Satnam Singh ASI P.S. Sadar Tarn Taran. Dated 20.11.2024....'

3. Contentions:

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and no specific role or injury has been attributed to him. He further submits that it is only co-accused Nishan Singh, who

fired gunshot upon the complainant, which hit Gopal Singh in the left thigh. The attention of this Court has been drawn to an order dated 02.04.2025 passed in CRM-M-7928-2025 (Annexure P-2) vide which co-accused has already been admitted on interim bail. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

On behalf of the State/complainant

Learned State counsel does not controvert the above-said fact and rather candidly submits that no specific role has been attributed to the petitioner.

4. **Analysis**

Having given due consideration to the submissions made above, particularly the fact that admittedly no injury has been attributed to the petitioner and co-accused Gurwinder Singh @ Gindu has already been granted the concession of interim bail by a co-ordinate Bench of this Court vide order dated 02.04.2025, this Court is of the opinion that custodial interrogation of the petitioner is not warranted, as State would not point out any incriminating material against the petitioner.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his 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

02.05.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>