



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24889-2025
DECIDED ON: 07.05.2025

GURDIT SINGH @ GEETU @ JEETA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rhythem Bajaj, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in case FIR No. 229 dated 02.11.2024 (Annexure P-1) under sections 118(1), 115(2), 191(3), 190, (Sections 309(6), and 118(2) of The Bharatiya Nyaya Sanhita, 2023 have been added later on), registered at P.S. City-1, Abohar, District Fazilka

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Tushar Jangid son of Jagdish Kumar son of Krishan Lal resident of Near New Sabzi Mandi, # 562, Circular Road, Abohar, aged about 28 years, Mob. No. 93433-20008. Stated that I am a resident of the above said address and working as a Lineman in PSPCL. Yesterday on

01.11.2024 at about 8.30 PM, I was going to meet my friend Sunny son of Prem Kumar resident of Indira Nagri and my friend Manu resident of Indira Nagri, Street No. 04, Abohar at their house from my house. When I stopped my motorcycle at a vacant place at Indira Nagri on the passage going towards Aggarwal Colony in front of Parveen Mill and started urinating then in the meantime Ghochra son of Baldev Singh resident of Indira Nagri, Near Gurudwara Sahib, having Sickle (Datar) and another unknown boy having Kapa came to me and told me to give money. Then I refused to Ghochra to give money and in between Ghochra shouted and called his companions including Ghochra's brother-in-law namely Jita having Sickle (Datar) and three other unknown boys who were having Kape, Sickle (Datar) with them on the spot and they started abusing me. I resisted them then Ghochra stabbed me twice continuously with his Sickle (Datar), which first hit on the thumb and three fingers of my left hand and then he attacked upon me once and Sickle (Datar) hit upon my right arm straight and his companions started hitting me with their weapons, which hit upon my right shoulder, right muscle, left shoulder, left muscle and on left arm. Jita attacked upon me with his Sickle (Datar) which hit me above the ear on the right side. I yelled for Marta-Marta then Ghochra forcefully snatched Rs. 6500 rupees from the front pocket of the shirt I was wearing. Seeing the crowd gathered there all of them ran away from the spot along with their respective weapons. Meanwhile, my brother Vineet also arrived at the spot after getting information, who after arranging a vehicle got me admitted at CH Abohar for treatment where I am undergoing treatment. The reason behind the grudge is that Ghochara used to demand money from me and he was alcoholic and I refused to give money to him so they in connivance with each other have done this to me. I got recorded my statement to you, heard and same is correct. Signature in English: Tushar Jangid above said, Signature in English as it is: Vineet s/ o Jagdish Chander (Brother) 98774-4220.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as neither he was present at the spot nor has any concern with the alleged incident. He further contends that even as per the case of prosecution, only one injury has been attributed to the petitioner and that too has been declared as simple in nature. It is further submitted that the allegation regarding the snatching of Rs. 6,500 from the complainant, falling under Section 309(6) of the BNS, has been specifically attributed to co-accused Gochhra and not to the present petitioner. The petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned as has been undertaken before this Court by learned counsel for the petitioner.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jastej Singh, Addl. A.G., Punjab accepts notice on behalf of the respondent-State and seeks dismissal of the instant petition on the ground that injury No.11 has been categorically declared grievous in nature which has been caused with sharp edged weapon using Sickie and accordingly, the offence under Section 118(2) of BNS, 2023 has been found to be committed by the petitioner and the recovery of the said weapon is to be made and on that account seeks custodial interrogation of the petitioner.

4. **Analysis**

Be that as it may, considering that all the injuries have been declared simple in nature except for Injury No. 11, which has been found to

be grievous as discussed above, and taking into account the undertaking given by the learned counsel for the petitioner before this Court that the petitioner is ready and willing to join the investigation, cooperate fully with the investigating officer, and comply with all terms and conditions imposed by this Court, with a specific assurance that he will not abscond during the course of the investigation in the present FIR, this Court deems it appropriate to grant anticipatory bail to the petitioner at this stage.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him 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.

07.05.2025

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No