

2025:PHHC:061577



105

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

**CRM-M-25455-2025
DECIDED ON: 09.05.2025**

SAJAN

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None.

SANDEEP MOUDGIL, J (ORAL)

1. No one is present because the Bar Council of Punjab & Haryana, as well as High Court Bar Association have decided to observe today i.e. May 9, 2025 as a '**No Work Day**', in view of serious escalation of the ongoing war-like situation with Pakistan and considering the safety concerns of litigants, advocates, staff, general public and their families etc.
2. The jurisdiction of this Court has been invoked under Section 482 of BNSS seeking anticipatory bail to the petitioner in FIR No.110 dated 28.09.2023 under Sections 452/323/427/506/148/149 Indian Penal Code, 1860 registered at Police Station Cantt Ferozepur, District Ferozepur (Annexure P-1), in the interest of justice.
3. The Prosecution story set up in the present case as per the version narrated in the instant FIR reads as under :-

“Statement of Anita wife of Gurpreet Singh son of Satwinder Singh, resident of village Jhok Nodh Singh, police station Mamdot now at Balmik Colony Government Quarters near Balmik Mandir, Ferozepur Cantt, age 26 years, mobile number 95170-88700, stated that I am a resident of the above address and a housewife. I am pregnant and have come to my parents house for deliver. In our neighboring government quarters, there is the residence of Asha wife of late Maiti Ram, who works as a cleaner in the Cantonment Board. She often throws garbage etc. in the street outside in front of the government residence of our quarters and pours water etc. and puts beds etc. in front of our door, which we stop, which often abuses us. On 23-9-23, at around 12 noon, there was a loud banging on our door and at the same time Sahil son of Soni armed with Baseball climbed the wall next to our quarters and entered our house and opened the outer door of our house. Then Asha wife late Maiti Ram came empty-handed and with him Sajjan son of Soni Musalla Dag, Sunita wife of Soni armed with Baseball resident of TA Line Ferozepur Cantt, Neetu wife of Partap empty-handed resident of Ghumar Mandi Ferozepur Cantt, Suman wife of Sonu armed with Danda, Rajji daughter of Moti Ram Musalla Danda resident of Government Quarter Balmik Colony Ferozepur Cantt along with 2/3 unknown persons armed with Sote entered our house. As soon as they came, Asha wife late Moti Ram raised lalkara that catch Anita and her family members and let them teach a lesson for stopping us from sitting in the street and sweeping etc. and at the same time Rajji pushed me hard because I am pregnant. I fell down and Sajjan son Soni hit me repeatedly with his baseball bat, which hit my chest, back, stomach and right arm. All the above mentioned people with their baseball bats, sticks, and sticks severely damaged the refrigerator, RO, Airtel number PB05AK1615, gas stove and kitchen utensils in our house. I raised alarm "Na Maro Na Maro", then my mother Rajni pulled me to the back room. In the meantime, my husband Gurpreet Singh also came and there and the people of the neighborhood gathering there and on seeing that all the above mentioned people ran away from the spot and also give threat

us. The reason for the enmity is that we have a quarrel with the above-mentioned Asha, who is a belligerent woman who quarrels without any reason and prevents us from sweeping the streets, etc., due to this enmity, today all the above-mentioned people have conspired to beat me up have threatened to kill me and my family and have destroyed our above-mentioned belongings. My husband Gurpreet Singh arranged a vehicle and got admitted at Civil Hospital, Ferozepur, where I am undergoing treatment. Legal action should be taken against the above-mentioned people. ”

4. It is pleaded in the petition that the petitioner is falsely implicated in the present case and all the injuries on the person of the complainant has been declared simple in nature. Perusal of the petition further reveals that an undertaking has been given by the petitioner that he is ready and willing to join the investigation and co-operate with the Investigating Agency.

5. Considering the fact that all the injuries on the person of the complainant has been declared simple in nature added with the fact that the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, 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.

6. 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 ten days 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.’

7. 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 ten days, the order passed by this Court today shall automatically stands cancelled.

8. In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

09.05.2025

Meenu

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