

**CRM-M-26308-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr.No.211****Case No. : CRM-M-26308-2025****Decided On : May 22, 2025**

Sukhwinder Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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**Present : Ms. Kirandeep Kaur, Advocate
for the petitioner.****Mr. P. S. Pandher, AAG, Punjab.**

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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 FIR No.33 dated 13.04.2025, under Sections 109, 115(2), 351(2), 191(3), 190 of BNS, 2023 and Sections 25, 27 of the Arms Act, 1959, registered at Police Station Bareta, District Mansa.

Briefly, the case of the prosecution is that the aforesaid FIR was got registered on the statement made by one Sony Ram son of Warkha Ram, alleging therein that on 12.04.2025, at about 10:00 PM, the accused persons, armed with their respective weapons, came to his house and while using abusive language, threatened him and his family members and caused five injuries to complainant's father Warkha Ram and three injuries to complainant himself. In this quarrel, one accused namely Harmesh Chand



also received injuries and consequently, DDR No.20 dated 13.04.2025 was registered in the cross-version.

Learned counsel for the petitioner has contended that only one simple injury has been attributed to the petitioner. He was armed with stick. As per allegations, when the complainant was lying down, then petitioner Sukhwinder Singh gave a stick blow on right arm of the complainant. Learned counsel has further contended that the entire version put forward by the complainant is false and fabricated. Rather, the complainant party had caused serious injuries on the person of Harmesh Chand and he suffered fracture of nasal bone. Cross-version i.e. DDR No.20 dated 13.04.2025 was also registered on the statement of accused Harmesh Chand. He has further contended that in order to save themselves, the complainant got registered present false FIR by fabricating the injuries which are self-inflicted. The dispute is regarding cultivation of Jumla Mustarka Malkan land and one Civil Suit is also pending regarding the same. He has submitted that custodial interrogation of the petitioner is not required and he is ready to join the investigation. Therefore, it has been prayed that the petitioner be granted concession of anticipatory bail.

Notice in this case was issued on 15.05.2025 for today and respondent-State sought time to file Status Report, which has been filed today in Court and is taken on record.

Learned State counsel has opposed the present bail petition and has contended that there are serious allegations levelled against the petitioner that he, along with his co-accused, gave beatings to the complainant party with their respective weapons and co-accused Makhan



Chand also fired gun shots and the said bullet passed over the head of the complainant. Learned State counsel urged that as the petitioner also actively participated in the occurrence, he does not deserve the concession of anticipatory bail.

Heard.

As per the allegations qua the petitioner, he was armed with a stick and he gave a *danda* blow on the right arm of the complainant, when he was lying down. The specific injury attributed to the petitioner is simple in nature. Cross-version in this case has also been registered and it is yet to be determined as to which party was the aggressor. Custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

May 22, 2025

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(SUKHVINDER KAUR)
JUDGE

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