



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

105

CRM-M-28071-2025

DATE OF DECISION: 21.05.2025

RAJINDER SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. APS Deol, Sr. Advocate with  
Mr. H.S. Deol, Advocate and  
Mr. Vishal R. Lamba, Advocate for the petitioner(s).  
Mr. Jastej Singh, Addl. A.G, Punjab.

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

This petition has been filed under Section 482 BNSS-2023 for grant of anticipatory bail in case FIR No. 48 dated 12-03-2025 u/s 109, 118 (2), 118 (1), 115(2), 190, 191(3) BNS-2023, Police Station Sadar, Kapurthala Distt. Kapurthala (Annexure P-1).

**2.** Prosecution story, set up in the present case as per the version in the FIR reads as under :-

*‘Statement of Randhir Singh s/o Swaran Singh, r/o Dhudianwal, PS Sadar, Kapurthala, aged about 42 years, Mob No.98147-68234. Stated that I am resident of above stated address and doing agricultural work. On 06.03.2025, at about 10 pm, after leaving my labour, I was returning home on my Scooty from my Motor. When I entered in the village, Ranjeet Singh former Sarpanch, Balbir Singh Member Panchayat, Raju s/o Tarlok Singh whose wife Heena is current Sarpanch along with other 2-3*



persons were standing at the spot where sewage was being layed by the Panchayat. From other party, Beant Singh s/o Chanan Singh armed with Datar, Sukhwinder Singh s/o Sardar Singh armed with Datar, Yadwinder Singh s/o Jaswinder Singh armed with Kirpan, Prabhjot Singh s/o Jaswinder Singh armed with Datar, Jaswinder Singh s/o Dalip Singh armed with Gandasi, Rajinder Singh s/o Jaswant Singh armed with steel rod, Jagmeet Singh s/o Darshan Singh empty handed and Diljot Singh s/o Anup Singh residents of Dhudianwal along with 3-4 unknown persons whose name I do not know, but can recognise them if brought before me, were standing. Beant Singh and Sukhwinder Singh both were arguing with Ranjeet Singh former Sarpanch and Raju s/o Tarlok regarding laying of sewage. As pit was dugout there, I stopped there and tried to pacify them and told them that it a village matter both sides should resolve it peacefully. At that time Yadwinder Singh s/o Jaswinder Singh, who was keeping grudge with me since MP Elections, raised lalkara to catch hold of me and not to spare me and to kill me and to teach me a lesson for becoming a leader in the village. On this Beant Singh holding Datar tried to hit me, to defend myself I raised my left arm and Datar hits on the elbow of my left arm. Then, Sukhwinder gave a 3 Datar blows which hits on back side of my head, then Yadwinder Singh gave Sword blow on the left side of my forehead. Then Prabhjot Singh gave datar blows on my head, then Jaswinder Singh gave dasti blow on my forehead. Then, Rajinder Singh gave Steel rod blows on my back. Then I fell down on the land, as I was lying Jagmeet Singh punched me on my left eye and unknown persons started kicking me on my scrotum region and also other parts of the body. On the spot ex-sarpanch Ranjeet Singh, Raju s/o Tarlok, Balbir Singh member panchayat r/o Dhudhianwal rescued me and sent me home. My head was bleeding and I was in pain. I got collapsed at my home. My father Swaran Singh arranged a vehicle and got me admitted in Civil Hospital, Kapurthala, where, Doctors prepared my MLR. As I was undergoing treatment and due to pain in my body, was unable to got my statement recorded. Today I along with my father Swaran Singh come present at Police Post Bhulana. Beant Singh



*s/o Chanan Singh, Sukhwinder Singh S/o Sardar Singh, Yadwinder Singh s/o Jaswinder Singh, Prabhjot Singh s/o Jaswinder Singh, Jaswinder Singh s/o Dalip Singh, Rajinder Singh s/o Jaswant Singh, Jagmit Singh s/o Darshan Singh residents of Dhudhianwal, PS Rural Kapurthala and other unknown persons tried to kill me. Strict legal action should be taken against them. I'll be given justice. Statement has been written, read and it is correct. SD/- Randheer Singh, Sd/- Swaran Singh attested Davinder Pal Singh ASI Incharge, Police Post Bhulana, PS Rural Kapurthala dated 12.03.2025.'*

### 3. Contentions

#### On behalf of the petitioner

Learned Senior counsel for the petitioner has argued that there is unexplained delay of 6 days in lodging the present FIR. He submits that the injury attributed to the petitioner is with iron rod blow on the back of the complainant which has been declared simple in nature, as is also evident from the MLR. He points out that the injuries which has been declared grievous in nature are attributed to co-accused namely Prabhjot Singh, Jaswinder Singh, Sukhwinder Singh and Yadwinder Singh. It is his further submission that the present case is a version and cross version lodged against each other. The scuffle took place out of some fraction occurred due to some conflict regarding clean up of sewerage, between two groups of the village and suddenly due to provocation, the alleged incident took place and thus, the same cannot be attributed to the petitioner only.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.



**On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner gave steel rod blow on the back of the complainant and the same is yet to be recovered, hence, his custodial interrogation is required.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties to the effect that the case in hand is version and cross version and the scuffle took place out of some arguments and both the parties belong to same village, and the co-accused has also been granted bail by the Trial Court, hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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 one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)  
JUDGE

21.05.2025  
anuradha

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |