

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28148-2025
Reserved on: 11.09.2025
Pronounced on: 17.09.2025

Monu ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kanishk Swaroop, Advocate, for the petitioner.
Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
14	22.02.2025	Mohkampura, Distt. Police Commissionerate Amritsar	333, 115(2), 191(3), 190 BNS (Section 117(2) added later on vide GD No.37 dated 07.03.2025)

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Vide order dated 21.05.2025, the petitioner was granted interim bail by the co-ordinate Bench of this Court, which is continuing till date.
3. In paragraph 12 of the bail petition, the accused declares that he has no criminal antecedents.
4. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“3. That the deponent herein is filling the present Short Reply by way of an affidavit after the perusal of the official record available in the police station as well as based on the detailed report obtained from SHO P.S. Mohkampura, Amritsar with respect to the contentions raised in the present petition by the petitioner, role attributed to the petitioner in commission of crime and status of the present case FIR No. 14, dated 22.02.2025 (supra).

4. That the deponent humbly submits that as per the official record available at the police station and as per report furnished by the SHO PS Mohkampura, Amritsar, on 19.2.2025, ASI Harjinder Singh, P.S Mohkampura, Amritsar had received an information that the complainant Narinder Kaur, her husband Ranjit Singh and son Aryan in injured condition were under treatment admitted in Guru Nanak Dev Hospital, Amritsar; hence ASI Harjinder Singh had gone to the hospital for recording their statements and they were declared fit for making statement by the doctor who recorded their joint statement that during conflict on 18.02.2025 at about 6:30PM, they sustained head injuries, due to which so far they do not remember names of the accused persons properly hence they would record their statement after

consulting their family. Therefore, GD No.57 dated 19.2.2025 was recorded in this respect at PS Mohkamura. Thereafter on 22.02.2025, after receiving phone call from Guru Nanak Dev Hospital, Amritsar, ASI Harjinder Singh had recorded statement of the Complainant Narinder Kaur on 22.02.2025, wherein she alleged that on 18.2.2025 at about 4:30 PM, her pet parrot had flown to the house of their neighbor Vicky then her son Shivam asked Soma to return the parrot then the complainant's neighbor Honey attacked Shivam and Soni, Laddu and Abhi beat Shivam. The complainant prevented them. Thereafter at about 6:30 PM, the complainant Narinder Kaur, her husband Ranjit Singh and both the sons were present at home then Ankush S/o Surjit Singh and Abhi S/o Laddu, Soni, Manjinder Singh @ Soni S/o Kashmir Singh came. The accused Manjinder Singh @ Soni raised lalkara that Ranjit your wife and sons have done wrong by massing up with Honey, come and you would be taught a lesson. In the meantime, Rashpal Singh @ Happy armed with datar gave blow of his datar hitting on head of Ranjit Singh and thereafter they all dragged Ranjit Singh out of the house in the street. Thereafter complainant's sons Aryan and Shivam went to the street to rescue Ranjit Singh then Happy and Ankush gave blows of their iron rods on the head of the complainant and Manjinder Singh @ Soni gave blow of his iron rod hitting on head of Ranjit Singh. They both fell down on the ground. All the assailants also caused many injuries to Aryan, Rashpal Singh @ Happy, Ankush, Manjinder Singh @ Soni, Monu (present petitioner), Abhi, Honey and Happy's father Jagtar Singh etc. caused many internal injuries to Narinder Kaur and Ranjit Singh. The complainant raised alarm then all the accused persons fled away from the spot with their respective weapons. Therefore, based on the statement of the complainant and MLRs of the complainant Narinder Kaur, her husband Ranjit Singh and her son Aryan, the present case FIR No. 14, dated 22.02.2025 under Sections 333, 115 (2), 191 (3), 190 was registered by ASI Harjinder Singh. ”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The State's counsel opposes bail and refers to the reply, however, admits the fact that petitioner joined investigation.

8. It would be appropriate to refer to the following portions of the reply, which read as follows:

“16. ROLE OF PETITIONER: That the deponent humbly submits that the present petitioner Monu was armed with an iron rod and he had caused one

injury on little finger of right hand of the injury Aryan, which was declared simple in nature. The injury caused on left side of forehead of the injured Narinder Kaur with reverse blow of datar by the co-accused person has been declared grievous in nature.

17. That it is respectfully submitted that keeping in view the totality of the facts and submissions made hereinabove, it is evident that the allegations leveled against the petitioner Monu are serious in nature. The criminal act of the petitioners and co-accused persons committed in the occurrence of the present case FIR No.14, dated 22.02.2025 (supra) had created a great panic in the locality. Though the petitioner Monu has joined the investigation but he has not cooperated with the Investigating Officer and has not handed over the weapon of offence. The disputed facts raised in the present petition by the petitioner Monu are required to be proved by way of leading evidence before the learned Trial Court in view of the settled principles of law but the same do not make the petitioner entitled to the discretionary relief of anticipatory bail. The custodial interrogation of the petitioner Monu is required for fair and proper investigation. Hence, in view of the nature of offence and gravity of crime committed by the petitioner, he is not entitled to the discretionary relief of anticipatory bail. Therefore, the present petition is liable to be dismissed.”

REASONING:

9. Injury attributed to petitioner is on little finger of right hand which was declared simple in nature, as such, petitioner is entitled to bail.

10. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

11. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the witnesses, hampered the investigation, or, despite being called to join the investigation, did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, which is made absolute subject to the petitioner complying with the terms of the bail order.

12. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

13. **Petition allowed in terms mentioned above.** Interim order dated 21.05.2025 is made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so. All pending applications, if any, stand disposed of.

17.09.2025

Jyoti-II

Whether speaking/reasoned:
Whether reportable:

(ANOOP CHITKARA)
JUDGE

Yes
No.