

2025:PHHC:075396



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

CRM M-29819-2025

Date of Decision:29.05.2025

Rajan

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunny K. Singla, Advocate, for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 482 of the B.N.S.S., 2023 with a prayer to grant anticipatory bail to him in case FIR No.162 dated 14.12.2024 registered under Sections 115(2), 118(1), 109(1), 351(2), 324(2) and 3(5) of the BNS at Police Station Doraha, District Ludhiana.

2. The FIR in the present case has been registered on the basis of the statement made by Ajit Singh son of Harbans Singh and the same has been reproduced below:-

“Statement of Ajit Singh son of Harbans Singh resident of Ward No.10, Doraha village, PS Doraha, District Ludhiana aged about 68 years. Mobile No.99880-73636. It is stated that I am resident of above mentioned address and an agriculturist. I have two sons and one daughter,

my all three children are married. My younger son Hardeep Singh is aged about 38 years and is married to Sandeep Kaur d/o Balvir Singh resident of Ramgarh, District Ludhiana. They have two sons. My son Hardeep Singh does the work of selling vegetables in market besides agriculture work along with me. On 12.12.2024, as a daily routine, at about 09:30 PM, after completing the work of vegetables in the fields, my son was coming back to home on his Activa No.PB 55E 5852. I was also coming to home on foot after purchasing the household articles. When I reached near Barota Chowk then I saw that my son Hardeep Singh was blocked by Lakhwinder Singh @ Lakha Shooter son of Sham Lal of our village. In the meantime, one black colour fortuner from Qilla side and one white colour safari vehicle bearing No.PB 11 MM 0070 came at very fast speed. I saw that Ravi Kumar @ Kartoos son of Pawan Kumar armed with iron Dah from Fortuner, Rajan Kumar @ Rajan son of Pawan Kumar armed with iron Dah and Inder son of Ajit Singh armed with iron sword alighted and while abusing loudly ran towards my son, who attacked my son and damaged scootri. My son in order to save himself ran towards the village by leaving the scootri there. That above said persons ran after my son with their respective weapons. My son in order to save himself entered the dead end street going towards the house of Gurdev Singh son of Wadhawa Singh, which was cordoned by the above said boys. Ravi Kumar @ Kartoos gave his Dah blow on my son which hit on the left arm of my son. Thereafter Rajan Kumar gave his sword blow on my son which hit on the back of left shoulder of my son, Lakha

Shooter gave his stick blow on both the legs of my son, due to which my son fell down on the earth. Ravi Kumar @ Kartoos, Rajan Kumar, Inder and Lakha Shooter with their respective sharp edged weapons gave merciless beatings to my son while he is down, with an intention to kill him and gave blows many times on the legs, arms, back, fingers of hands of my son. Rajan gave his Dah blow on my son while he was down, with an intention to kill which hit on left side of his face. My son became bloody. I shouted loudly for help. Above said persons, considering my son as dead and seeing gathering people there, gave kicks to my son and ran away from the spot along with their respective weapons while giving threats to kill and raising Lalkaras, in their vehicles, towards Village Rajgarh. In the meantime my elder son Sandeep Singh also came at the spot. We took Hardeep Singh in private car to SPS Hospital, Ludhiana and got him admitted there. My son Hardeep Singh is under treatment at SPS Hospital, Ludhiana. The reason behind this enmity is that about one year back Kartoos had sold the trees after getting cut, standing at the place of Panj Peers. My son had stopped him to do so. Ravi Kumar @ Kartoos used to keep grudge with my son on this issue, due to which Ravi Kumar @ Kartoos in connivance with his brother Rajan Kumar @ Rajan, friend Inder and Lakha Shooter, had caused injuries with sharp edged weapons with an intention to kill my son and have damaged the Activa Scootri of my son. I, in presence of my son Sandeep Singh, has got recorded my statement at SPS Hospital, Ludhiana, heard and is correct. Legal action may be taken against above said persons. Sd/ Ajit

Singh supported by Sd/-Sandeep Singh, attested Sd/-Lakhvir Singh SI PS Doraha dated 14.12.2024”.

3. Learned counsel for the petitioner contends that the occurrence had allegedly taken place at about 09.30 p.m. on 12.12.2024, whereas, the FIR has been got registered by the complainant in the evening of 14.12.2024. He further contends that the police had recovered a CCTV footage of the incident during the course of investigation and from the CCTV footage, it is clear that the petitioner was not present at the time of incident and has been falsely named by the complainant. He even moved a representation dated 20.12.2024 (Annexure P-2) to the Senior Superintendent of Police, District Khanna, requesting him for conducting fair investigation. However, no action has been taken on the same.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that in the present case, the petitioner was carrying a sharp edged weapon, i.e., *Dah* (sword type weapon) and has been attributed specific injuries and, thus, the petitioner does not deserve the concession of bail. Apart from that, as per the police record, the following five cases were also registered against the petitioner in the past as well:-

“1) FIR No.16 dated 16.12.2019 under Section 174A IPC, Police Station Payal, District Ludhiana;

(2) FIR No.139 dated 17.08.2014 under Section 323, 341, 506, 34 IPC, Police Station Payal, District Ludhiana;

(3) FIR No.9 dated 11.01.2021 under Sections 323, 324, 341, 506, 34, 201 IPC, Police Station Doraha, District Ludhiana;

(4) FIR No.70 dated 23.04.2017 under Section 323, 324, 341, 506, 148, 149 and 201 IPC, Police Station Doraha, District Ludhiana;

(5) FIR No.55 dated 27.05.2018 under Section 307 IPC, Police Station Doraha, District Ludhiana”.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, from the record, it is apparent that as per the MLR of Hardeep Singh, injured, he is suffering 12 serious injuries on his person. The patient was admitted for plastic surgery and orthopedic surgery also. Even, in the FIR, it has been alleged that the petitioner had caused injuries with *Dah* (sword type weapon) on the left side of the face and the left shoulder of the injured in the present case. Even, the injuries have been found dangerous to life and the provisions of Section 109(1) of BNS have been added in the present case. Thus, keeping in view the seriousness of the allegations against the present petitioner, he is not entitled to the discretionary relief of anticipatory bail in the present case. Apart from that, in the past also, the petitioner was involved in serious offences and the law is well settled that normally, concession of anticipatory bail should not be extended to repeated offenders.

7. Thus, finding no merits, the present petition is ordered to
be dismissed.

29.05.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No