

**CRM-M-31564-2025 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.101+214****Case No. : CRM-M-31564-2025 (O&M)****Decided On : July 10, 2025**

Makhan Chand Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. H. S. Sidhu, Advocate
for the petitioner.

Ms. Gagandeep Kaur, DAG, Punjab.

Mr. L. S. Sekhon, Advocate
for the complainant.

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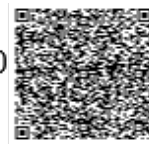
SUKHVINDER KAUR, J. :**CRM-26002-2025 :**

Prayer in the present application is to add the offence under Section 117(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in the 'Heading' and 'Prayer Clause' of the main case bearing **CRM-M-31564-2025**.

For the reasons mentioned in the application, the same is allowed and Section 117(2) of BNS, 2023 is permitted to be added in the 'Heading' and 'Prayer Clause' of the main petition.

Registry to carry out the necessary correction in the 'Heading' and 'Prayer Clause' of the main petition.

The application stands disposed of.

**CRM-M-31564-2025 (O&M)****2****Main Case :**

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 Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Bareta, District Mansa.

The case, as enunciated by the prosecution, in brief, is that one Sony Ram got registered the FIR in question, wherein he stated that on 12.04.2025, at about 10:00 PM, the accused persons carrying respective arms with them, came to his house. They allegedly abused and threatened him and his family members, besides causing injuries to him and his father. One of the persons from accused party namely Harmesh Chand also received injuries in the scuffle and cross-version i.e. DDR No.20 dated 13.04.2025 was got registered by them.

Learned counsel for the petitioner has contended that the injury attributed to the petitioner is simple in nature. He was alleged to be armed with pistol but no fire arm injury was there on the person of the complainant. He contended that just to add gravity to the offence in question, the petitioner had been alleged to be armed with fire arm and then, it was alleged that the bullet crossed upon the head of the complainant and did not hit him. The cross-version was also registered in the present FIR and Harmesh Chand suffered fracture on his head and fracture on both sides of his nasal bone due to injury inflicted by the complainant party. He further submitted that the petitioner is ready and willing to join investigation and be

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granted concession of anticipatory bail.

Notice in this case was issued on 04.06.2025 and Status Report was called from the State, which has already been filed and placed on record.

Per Contra, learned State counsel has opposed the present bail petition while contending that serious allegations have been levelled against the petitioner for having caused injuries to the complainant and others. The petitioner also fired gun shots, but luckily, it did not hit and passed over head of complainant. So, keeping in view his active role, the petitioner does not deserve concession of bail from the Court.

Heard.

As per allegations qua the petitioner, he was armed with pistol and fired gun shot at the complainant, which, however, passed over his head and did not hit him. He also allegedly gave a fist blow on the left eye of the complainant.

In the Status Report, it has been mentioned that from the inspection of the crime scene, empty cartridge was found from the root of Ashoka tree and on the cartridge, 8MM and KF was written. Thus, there are serious allegations qua the petitioner that he was armed with pistol and he had allegedly opened fire with the said pistol on the complainant, but the bullet passed over his head. As per said Status Report, three more criminal cases had also been registered against him.

Keeping in view the specific allegations regarding use of fire arm by the petitioner and also keeping in view the facts and circumstances of the present case, it is not deemed fit to grant concession of anticipatory



bail to the petitioner. Accordingly, the present petition stands dismissed. Anything expressed herein shall not be construed as expression on the merits of the case.

July 10, 2025
monika

(SUKHVINDER KAUR)
JUDGE

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