



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31865-2025
DECIDED ON: 17.06.2025

SUKHWINDER SINGH ALIAS DEEP

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Prince Sharma, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 in case FIR No. 28 dated 25.03.2025, under section 115(2)/118/191(3)/190 of BNS, 2023, & (later on added Section 117(2)/118 (2) of BNS, 2023) Police Station Valtoha, Tehsil Patti, District Tarn Taran, Punjab.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Karandeep Singh son of Sukhbir Singh resident of Amarkot, police station Valtoha age about 20/21 years mobile no. 78140-71119. Stated that I am resident of the above said address and working ar Janak General Store. Yesterday on 24.03.2025 at about 01:30 PM Sunny son of Binder Singh resident of Amarkot armed with sword, Deep

Son of Jaimal Singh resident of Amarkot armed with Datar along with 10/12 unidentified persons came in the stand of Amarkot. On arrival I was going to urinate then Sunny said your younger brother has slapped me now i will teach you a lesson too. Then Sunnu gave sword blow on me while turning back it landed at backside of my head. I was bleeding. In the meanwhile my Uncle/chacha Harinder pal Singh son of Harbhajan Singh resident of Amarkot came to rescue me then Deep singh gave blow of Datar from the reverse side which landed on his left arm. Other unidentified persons who were armed with sticks and baseball hit at my waist and on other part of body. Due to our shouting all the accused ran away with their respective weapons. The cause of enmity is that Sunny slapped my brother and my brother slapped to Sunny. So due to this reason Sunny and Deep with the help of unidentified persons inflicted injuries to me and my uncle/chacha. Then my grandfather Gurjit Singh son of Joginder Singh resident of Amarkot got me and my chacha admitted at government Hospital Gharayala after arranging conveyance. Where we are under treatment.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the only allegation against the petitioner is of giving reverse side of datar blow on the left arm of Harjinderpal Singh (uncle of the complainant). He further contends that there is an unexplained delay of 01 day in lodging the instant FIR as the occurrence took place on 24.03.2025 whereas the FIR was registered on 25.03.2025. It has been further contended that co-accused namely Sunny, who gave sword blow on the backside of the head of the complainant, had already been granted the concession of anticipatory bail by the Court of Sessions, as is evident from Annexure P-4 i.e. the case status.

The petitioner is ready and willing to join the investigation and cooperate with the investigation officer concerned, as has been undertaken before this Court by learned counsel for the petitioner.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Sandeep Singh, AAG, Punjab accepts notice on behalf of the respondent-State and has produced a status report by way of an affidavit of Preet Inder Singh, PPS, Deputy Superintendent of Police, Sub Division Bhikhiwind, District Tarn Taran, which is taken on record. He opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner along with his co-accused Sunny, had inflicted injuries on the person of the Harjinderpal Singh and Karandeep Singh. The specific allegation against the petitioner is that he struck Harjinderpal Singh on the left arm with the reverse side of a *datar*, causing an injury that has been declared as grievous in nature, as is evident from Annexure R-1. He seeks custodial interrogation of the petitioner on the ground that the weapon allegedly used by the petitioner in the commission of the offence is yet to be recovered from him.

4. **Analysis**

Be that as it may, considering the facts that there is an unexplained delay of 01 day in lodging the instant FIR as the occurrence took place on 24.03.2025 whereas the FIR was registered on 25.03.2025; the injuries attributed to the petitioner are grievous in nature but not dangerous to life, as is evident from Annexure R-1; co-accused namely, Sunny, who gave sword blow on the backside of the head of the complainant, had already been granted the concession of anticipatory bail by the Court of

Sessions, as is evident from Annexure P-4 i.e. the case status as well as considering the undertaking given before this Court by learned counsel for the petitioner that the petitioner is ready and willing to join the investigation and cooperate with the investigation officer concerned.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 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 a

period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

17.06.2025

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No