

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32330-2025 (O&M)

Date of Decision: 20.06.2025

Piyush Verma

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Dildar Singh, Advocate and
Mr. Inderpreet Singh, Advocate for the petitioner

Mr. JS Rattu, DAG Punjab

Sandeep Moudgil, J.

Relief claimed

(1). This petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the petitioner in case FIR No.79 dated 31.07.2024 under Sections 115(2)/126(2)/351(2)/351(3)/3(5)/238 BNS (Section 109 BNS added later on), registered at Police Station Basti Jodhewal, District Ludhiana.

Facts

(2). Facts as emerging in the FIR is reproduced as under:-

“Statement of Naveen Kumar son of Balwant Singh, resident of House No. 444, Street No. 2, Lajpat Nagar, Noorwala Road, Police Station Basti Jodhewal, Ludhiana, aged approximately 34 years, Mobile No. 98158-07163. He stated that he resides at the above-mentioned address and works at Sharda Factory, Lajpat Nagar, Ludhiana. On 27-07-2024 at around 10:00 PM, while he was feeding a stray dog outside his house in the street, their neighbour Piyush Verma hit the dog with his motorcycle. When he stopped Piyush from doing so, a verbal altercation and exchange of abusive language ensued. Respectable persons of the locality intervened and pacified both parties, after which they returned to their respective homes. On 28-07-2024, at around 10:00 AM, his brother Praveen Kumar had gone to the market to

purchase household groceries. At that time, our neighbors Ankit Verma, Piyush Verma, Rajan Verma, along with 2-3 other unidentified individuals, forcefully entered my house. Ankit Verma, who was holding a sharp-edged weapon, struck me on the head. As I turned to look to the other side, Piyush Verma attacked the left side of my head with a sword he was holding. My vision went dark, and aforementioned individuals dragged me into the street and continued to physically assault me. Just then, my brother Praveen Kumar returned home from the market. The said individuals also assaulted and abused him verbally. During this scuffle, my gold chain weighing approximately one and a half tolas and a sum of Rs. 4,800/- were lost. Other residents of the neighborhood arrived at the scene, and upon their arrival, the accused persons shouted threats and fled from the spot. Our neighbor Ajay Verma, with the help of his private vehicle, took both me and my brother to Civil Hospital, Ludhiana, where the doctor provided us with first aid and prepared our Medico-Legal Reports (MLRS). Due to worsening of my medical condition, my relatives later shifted me to CMC Hospital, where I am currently undergoing treatment. The statement has been recorded in the presence of my brother, Praveen Kumar, and is true and accurate. I, Naveen, hereby sign this statement; it is attested by Parveen and verified by Harneek Singh, ASI No. 2276, Police Station Basti Jodhewal, Ludhiana, dated 31-07-2024. During the police action today, I along with Constable Gurpreet Singh No. 3280 and PHG Bharat Bhushan No. 29266 was present Shivpuri Chowk, Ludhiana, during patrol and checking related to suspicious persons traveling in private vehicle. I, Naveen Kumar, appeared and submitted my written statement, which was read aloud to me, explained, and after I confirmed its correctness...”

Submissions of the petitioner

(3). Learned counsel for the petitioner has filed an application (CRM-24091-2025) praying for amendment of prayer for grant of interim bail to the petitioner. He has confined his prayer *qua* grant of interim bail to the petitioner on the ground of critical stage of pregnancy of his wife as it has been alleged that there is no other male member available in the family to take care of his wife.

Stand of the State

(4). Learned State counsel has filed the custody certificate dated 16.06.2025 which is taken on record, according to which, the petitioner has undergone 3 months and 3 days of custody. He submits that pursuant to submission of challan on 09.05.2025, charges have not been framed with total 20 PWs to be examined. He submits that the petitioner has been involved in serious offence and there is apprehension that he may abscond or influence the witnesses since trial proceedings are going on.

(5). In compliance to the order dated 17.06.2025, status report dated 19.06.2025 has been filed by Devinder Kumar, PPS, Addl. DCP, Sub Divn. North Ludhiana which is taken on record. On the basis of the averments made in the status report, learned State counsel argued that the ground propelled by the petitioner for grant of interim bail is no ground in view of the fact that there are other family members to look after his pregnant wife and that apart, the role of the petitioner in the commission of crime is clear and unambiguous as he has hit a sword blow at the head of the complainant which is a vital part of the body.

Analysis

(6). Heard learned counsel for the parties.

(7). A perusal of the status report would show that as per the ultrasound report furnished by the doctor, it has been confirmed that the wife of petitioner has pregnancy of approximately 8 weeks and 6 days as on 21.04.2025. It has also been categorically pointed out that there are mother and father of the petitioner in the house who can look after his wife. It has also been highlighted that the petitioner and his co-accused had given sword and

daat blow which hit the left side of head of the complainant and threw the weapon in ganda naala and therefore offence under Section 238 of BNS was also added in this case.

(8). Upon meticulous consideration of the rival submissions advanced by the parties and a thorough examination of the status report, which unequivocally controverts the grounds propounded by the petitioner in support of his prayer for interim bail, this Court observes that the petitioner's contention regarding the need for personal care of his pregnant wife is mitigated by the presence of other family members who can provide requisite support. More pertinently, the petitioner and his co-accused stand accused of a heinous offense involving a brutal attack on the complainant. Besides, the MLR of the injured duly corroborates commission of a grave crime, noting that a total of 7 injuries, including 2 critical injuries were sustained by the complainant on his head which is a vital part of the human anatomy.

(9). In light of the direct and specific allegations leveled against the petitioner, this Court discerns no plausible justification to extend the concession of regular bail to him at this stage of the proceedings.

(10). Accordingly, this petition is dismissed.

(11). Nothing stated herein shall be taken as an expression of opinion on merits of the case before the trial court.

20.06.2025

V.Vishal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

(Sandeep Moudgil)
Judge

- Yes/No
- Yes/No