

2025:PHHC:083339



225.

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

CRM-M-32701-2025

Date of decision: 10.07.2025

Parkash Singh and others

.... Petitioners

Versus

State of Punjab

.... Respondent

225/2.

CRM-M-34238-2025

Kuldeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bal Krishan Mehta, Advocate, for the petitioners in
CRM-M-32701-2025.

Mr. Ashok Kumar Khunger, Advocate, for the petitioner in
CRM-M-34238-2025.

Mr. Amit Rana, Senior DAG, Punjab.

Mr. Vishneet Singh Kathpal, Advocate, for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in these petitions filed under Section 482 of BNSS is
for grant of anticipatory bail to the petitioners in case FIR No.0124, dated
19.05.2025, under Sections 109, 115(2), 191(3), 190, 351(2) of BNS and

Section 25 of Arms Act, registered at Police Station Sadar Fazilka, District Fazilka.

2. Since these petitions have arisen out of the same FIR, they are being taken up together for disposal by this common order, however, for convenience, the facts have been taken from CRM-M-32701-2025.

3. Learned counsels for the petitioners submit that the petitioners have been falsely implicated due to a longstanding land dispute between the parties. It has been contended by the learned counsels that the land in question was lawfully sold to Kantabai wife of petitioner Parkash Singh, and to Sukhwinder Kaur wife of petitioner Narinder Singh, by the complainant side through registered sale deeds. However, the complainant party has subsequently attempted to dispute the legality of the said transactions on the basis of an allegedly forged Will.

4. It is further argued that the present case is essentially a case of version and cross-version arising out of this land dispute. The firing alleged in the FIR in question is claimed to have been carried out in the air merely to deter the complainant party and not with any intent to cause bodily harm. Moreover, it is submitted that the petitioners themselves sustained injuries during the occurrence, which, it is alleged, were inflicted by the complainant party.

5. Insofar as petitioner Kuldeep Singh is concerned, it is contended that no specific role or injury has been attributed to him, and that

he has been roped in solely on account of being the son of co-accused Balwant Singh.

6. Status report has been filed in CRM-M-32701-2025 by way of affidavit dated 08.07.2025 of Lavdeep Singh Gill, Deputy Superintendent of Police (HQ)-cum-Sub Division Fazilka, District Fazilka, on behalf of respondent-State, in Court today, which is taken on record subject to all just exceptions.

7. Learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. It has been vehemently argued by the learned State counsel that the allegations in the FIR are grave and point to a deliberate and coordinated assault upon the complainant party. It has been further contended that a perusal of the FIR clearly reveals that all the accused, including the present petitioners, acted in concert while being armed with deadly weapons, including firearms, swords, *gandas* and sticks.

8. While it is conceded by the learned State counsel, on instructions, that no specific injury has been individually attributed to each of the accused particularly petitioner Kuldeep Singh, it has been asserted and emphasized that their participation in the assault as members of an unlawful assembly armed with deadly weapons is clear from the FIR. Two victims, namely, Lachhman Singh and Sukhjeet Singh, sustained grievous firearm and sharp-edged weapon injuries, and the role of several petitioners in actively inflicting of facilitating such injuries is well detailed in the FIR.

9. It has been further submitted, on instructions, by the learned State counsel that the injuries allegedly sustained by the accused party, are superficial in nature and do not detract from the specific and direct allegations made against them in the FIR.

10. I have heard learned counsel for the parties and perused the material placed on record.

11. As per the FIR lodged by the complainant, the incident took place on 18.05.2025 at about 12:30 PM, when the complainant was irrigating his crops. Allegedly the petitioners, along with several other co-accused and 6-7 unidentified persons were lying in wait behind a bore and bricks with deadly weapons, including firearms, swords, *gandasas*, and sticks.

12. As per allegations, accused Balwant Singh raised a *lalkara* instructing others to teach the complainant a lesson for not handing over possession of the land. Thereafter, accused Malkit Singh allegedly fired a shot at the complainant with intent to kill, resulting in grievous injuries to his right thumb and middle finger. Simultaneously, other accused persons allegedly began ploughing a disputed parcel of land.

13. Subsequently, Sukhjeet Singh, the driver of the complainant, was allegedly shot by accused Raj Singh and assaulted with *gandasa*, *kappa* and other weapons by various co-accused including Ravinder Singh, petitioner Parkash Singh, petitioner Sukhpal Singh, and Chan Singh. The driver of the complainant sustained multiple serious injuries, including a

gunshot wound to the chest, a *gandasa* blow on the shoulder, a *kappa* blow to the head, and injuries on the wrist and hip, rendering him unconscious. Both the injured were then taken to the government hospital and later referred to PGI, Chandigarh due to the seriousness of the injuries.

14. Upon a careful perusal of the contents of the FIR and the nature of injuries suffered by the complainant and Sukhjeet Singh, this Court is of the considered view that prima facie grave and specific allegations have been levelled against all the accused, including the petitioners.

15. The FIR details a coordinated and premeditated assault carried out by a group of individuals, including the present petitioners, who have been named in the FIR in question and were alleged to have been armed with firearms and sharp edged weapons. The sequence of events narrated in the FIR suggests a planned attack arising from a protracted land dispute. The presence of the petitioners at the scene, their active participation in the incident and the use of deadly weapons collectively prima facie points towards their complicity.

16. The contention that firing was done only to scare the complainant party is rendered untenable in light of the firearm injuries sustained by both complainant and his driver. Moreover, the injuries suffered by the accused side are reportedly simple in nature and do not neutralize the specific and grievous injuries inflicted upon the complainant party.

17. As regards petitioner Kuldeep Singh, though a specific overt act is not attributed to him individually, he is named in the FIR as part of the unlawful assembly that allegedly committed the assault.

18. In view of the seriousness of the allegations and the nature of injuries sustained by the complainant party prima facie supported by medical evidence, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioners.

19. Present petitions stand dismissed accordingly.

20. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)
JUDGE**

July 10, 2025
sanjeev

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