

2025:PHHC:076448



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

**CRM-M-32914-2025
DECIDED ON: 20.06.2025**

JASWANT SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Akash Manocha, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 10 dated 01.04.2025 under sections 126(2)/ 117(2)/ 115(2)/ 3(5) of Bhartiya Nyaya Sanhita, 2023 (Annexure P-1)/ Cross Case registered Vide DDR no. 21 dated 04.04.2025 under sections 118(2)/ 126(2)/ 115(2)/ 3(5) of Bhartiya Nyaya Sanhita, 2023 (Annexure P-2) at Police Station, Sadar Budhlada, District Mansa.

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

“Copy of statement, "Statement of Jaswant Singh S/o Gurnam Singh S/o Mukand Singh, R/o Ward No.09, Banchhuana, District Mansa, aged about 62-63 years, mobile No. 62804-71423 stated that I am resident of above address. I am an old man and I am a patient of Cancer. My house is built in my field outside the village on main road

Banchhuana-Dedra. I have two sons, name of elder son is Amritpal Singh, who is married and younger to him is Gurpreet Singh, who is also married. On dated 21.03.2025 evening at about 05:00 PM, I was sitting near my house at main road Banchhuana-Dedra, then I told to Ajaib Singh s/o Inder Singh R/o Banchhuana as why he is not giving account of Kisan Union money. Then he started arguing with me saying that who are you to ask me to give account of the money. Then there Bhola Singh, Member Panchayat, Banchhuana stopped our argument. Then I went to my house. Then Amrik Singh s/o Bhan Singh, R/o Banchhuana came to my house and pacified my son Gurpreet Singh saying that you may pacify your father otherwise your quarrel with Ajaib Singh will take place. Then my son Gurpreet Singh pacified me that we will not fight with anybody. Then after taking my meal, I went for walk on the road from my house to village Banchhuana side. Then I sat on the toll-pulli constructed on road side and I was doing worship with mala. Then one motorcycle came to me from the side of house of Ajaib Singh on which Ajaib Singh s/o Inder Singh, Dhan Singh s/o Ajaib Singh residents of Banchhuana were riding and this motorcycle stopped near me. Then meanwhile, one motorcycle from the side of village Banchhuana came there and stopped near me on which Amrik Singh s/o Kundan Singh, Jagdeep Singh s/o Amrik Singh, Amna Singh s/o Amrik Singh, R/o Banchhuana were riding and stopped near me. Then all of them surrounded me and after seeing them, I got up. Then all of them started beating me and I fell down. Then Amrik Singh was carrying rifle, who put his foot on my right hand and took out my two gold rings and one gold bangle (kara) weighing 2 tolas. Then on my left leg, Dhan Singh s/o Ajaib Singh R/o Banchhuana who was carrying bali-wood, then Dhan Singh attacked on my left leg with Bali-wood hitting on my left leg below knee and also injured me at many places. Then I became unconscious. Then my son Gurpreet Singh arranged a private car and admitted me at Government Hospital, Budhladha where I am under treatment. The reason of dispute is that I demanded account of Kisan Union money from Ajaib Singh s/o Inder Singh, R/o village Banchhuana due which, Ajaib Singh and others injured me. Legal action may kindly be taken against them. I have recorded my statement to you, heard and found to be correct. Sd/- Jaswant Singh above, supported the statement by Sd/- Gurpreet Singh”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, which arises out of a version and cross-

version scenario. It is further submitted that the petitioner underwent surgery for cancer/chronic non-healing ulcer of the penis on 30.05.2024, and in support thereof, reliance is placed on the discharge summary dated 01.06.2024 (Annexure P-4). Learned counsel further submits that the petitioner is ready and willing to cooperate with the investigation and undertakes to join the same as and when required by the investigating agency.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner gave injury to the complainant on the head with a stick.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that the petitioner underwent surgery for cancer/chronic non-healing ulcer of the penis, as is evident from the discharge summary dated 01.06.2024 (Annexure P-4). Moreover, the State could not point out the nature of injury either grievous or dangerous to life, therefore, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, 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.

(SANDEEP MOUDGIL)
JUDGE

20.06.2025

Meenu

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