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

**CRM-M-39599-2025 (O&M)
Date of decision: 25.07.2025**

Harpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aman Pratap Singh, Advocate
for the petitioner.

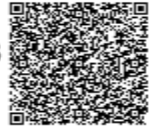
Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.6 dated 26.01.2025 under Sections 115(2), 118(1), 332, 333, 324, 351, 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 109, 118(2) & 238 of BNS were added later on), registered at Police Station Majitha, District Amritsar Rural.

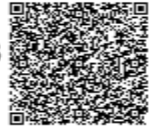
2. Brief facts of the case are that FIR (*supra*) was registered on the statement made by complainant Sandeep Singh, on the allegations that on 29.05.2024, his brother-in-law (his wife's brother) Captain Singh passed away.

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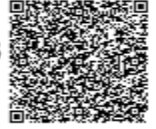


On 13.01.2025, on Lohri, at around 04.00 p.m., his wife was crying remembering her brother. Harpal Singh, Keval Singh, Lakhwinder Singh @ Babbi, Gurjant Singh, Hardeep Singh and Harpreet Singh along with 10 unknown persons were playing DJ loudly on the roof of their house and were creating lot of noise. When he requested Harpal Singh and Gurjant to lower the DJ volume and turn the speakers in another direction, Harpal Singh, Gurjant Singh, Harpreet Singh and Keval Singh as well as other persons abused him and threatened by saying that get back inside or they would kill him. Thereafter, he went to his house through the main door and after some time, his cousin Baljeet Singh and brother Kuldeep Singh came to his house and when they along his uncle's father namely Bir Singh climbed to the roof, Keval Singh, Harpal Singh, Gurjant Singh, Hardeep Singh and their friends Sarbjit Singh @ Satha, Jagga Singh and Sahijpreet Singh along with other unidentified persons started pelting stones. Soon thereafter, Gurjant Singh, Keval Singh, Harpal Singh, Lakhwinder Singh @ Babbi, Sarbjit Singh @ Satha, Hardeep Singh, Sahijpreet Singh along with 15-20 unknown persons, by breaking the main window and door, entered his house from the roof. Gurjant Singh and Keval Singh armed with dattar, Harpal Singh and Jagga Singh armed with kirpan, Sandeep Singh @ Satha armed with datar and spade, Lakhwinder Singh armed with baseball bat and other unknown persons armed with datars and kirpans came and Gurjant Singh raised a lalkara 'Catch the soldier', they will show him what happens if you live in this village. Kill him and his family'.

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Thereafter, Gurjant Singh tried to strike on his head with an intention to kill, however, being a boxing player, he tried to block the blow, but his right knee was cut. Harpreet Singh gave datar blows on his head twice, on which he raised left hand over his head, the first blow hit on his left little finger and second on his left middle finger. Harpal Singh gave kirpal blow, which hit on his left middle finger. Sarabjit Singh @ Sattha hit the complainant with the spade and pushed him down. Thereafter, he fell down and the accused had beaten up him very badly. When his aunt Mindo lay on him to shield him, Gurjant Singh hit her with reverse side of the datar. When cousin Baljeet Singh and brother Kuldeep Singh of the complainant shouted for help, Baljeet Singh ran upto the roof, but Keval Singh, Hardeep Singh, Sarbjit Singh @ Satha and Lakhwinder Singh @ Babbi along with unknown persons severely gave beatings to Baljeet Singh and threw him down the stairs, due to which his legs were broken. All the accused caused massive damage to household articles of the complainant. Thereafter, his brother Kuldeep Singh and his cousin Jaspreet Singh took the complainant, Baljeet Singh and his aunt Mindo to the Govt. Hospital, Majitha, where Harpal Singh, Keval Singh, Gurjant Singh, Hardeep Singh and their maternal uncle Bhajja Singh came and threatened to kill them, if they would not settle the matter. Upon which, father-in-law of the complainant, namely Gurmeet Singh, said “let the boy be treated first”. Due to the serious injuries, the doctors referred the complainant and Baljeet Singh to Guru Nanak Dev Hospital, Amritsar and due to non-stopping of bleeding, they

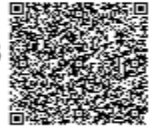


were further referred to PGI, Chandigarh. However, due to dense fog and darkness at night, he was admitted to Amandeep Hospital, Amritsar, where he was treated for 4-5 days. Thereafter, Medical Legal Reports were got prepared from Govt. Hospital, Majitha. Due to the injuries on both of his hands, the complainant was facing lot of difficulty in performance of day to day affairs. Hence, the FIR (*supra*).

3. Learned counsel for the petitioner, *inter alia*, contends that it is a case of version and cross-version. There is a delay of 13 days in registration of FIR (*supra*), which creates a serious dent on the case set up by the prosecution. Further, perusal of the prosecution case and cross-version clearly indicates that the complainant is the aggressor. The video recording of the incident has also been provided to the Investigating Officer. The injury attributed to the petitioner is on non-vital part of the body. It is further submitted that three co-accused of the petitioner, namely Kewal Singh, Gurjant Singh and Hardeep Singh, have already been granted the concession of anticipatory bail by this Court vide order dated 26.05.2025 and order dated 14.07.2025 passed in CRM-24122-2025 and CRM-M-32189-2025, respectively and one another co-accused Harpal Singh has also been granted *ad interim* anticipatory bail vide order dated 07.07.2025 passed by this Court in CRM-M-32006-2025.

4. *Per contra*, learned State counsel opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner is the main accused and he is alleged to have given injury, for which offence under Section

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109 of BNS has been invoked on the basis of opinion rendered by the doctor. The injury inflicted by the petitioner has resulted into cut on the artery of the complainant and also without timely medical assistance, the complainant would have been pledged to death. As such, keeping in view the specific and serious allegations against the petitioner, he is not entitled to any relief. Further, the co-accused, who have been granted the concession of anticipatory bail, are alleged to have caused simple injuries.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. Keeping in view the facts and circumstances of the case and considering the specific and serious allegations levelled against the petitioner, this Court finds no ground to grant him the concession of anticipatory bail. Accordingly, the present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

[HARPREET SINGH BRAR]
JUDGE

25.07.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No