

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

CRM-M-40339-2025
Reserved on: 06.08.2025
Pronounced on: 26.08.2025

Ravi Kumar Panday @ Ravideep ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. C.L.Verma, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
23	10.03.2025	Daba, District Police Commissionerate Ludhiana	109/115(2)/126(2)/191(3)/190 of BNS (Section 118(2) BNS added later on)

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 12 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are taken from the translated copy of the FIR attached to the bail petition, which reads as follows:

“Stated that I reside at the aforementioned address and work as a private driver. Yesterday, on 09.03.2025, at approximately 9:00 PM, I was present at home with my brother, Amandeep alias Aasu, aged around 22 years. My brother Aasu received a phone call from his friend, Ajay Pandey, son of Sunil Pandey, resident of Gali Number 2, MohallaGyan Chand Nagar, Luhara, Ludhiana, who told him to come to his house for a party. My brother Aasu then asked me to come with him, but I told him 'my health wasn't good and I wouldn't go', asking him to return home soon. After eating, I went to sleep. Then, around 1:00 AM on 10.03.2025, I received a call from my friend Seti Kumar, son of Joginder Kumar, resident of Sukhdev Nagar, who informed me that my brother Aasu and his friend Ajay were involved in a fight on the night of 03.09.2025, around 11:30 PM, near the liquor store on Bapu Market Road. The altercation

was with Jerry alias Naua, who was riding his black Splendor motorcycle, bearing number PB 10 AM 6031, with his companion, who jaalso involved with his brother Lachhuman son of Swaran Verma, resident of Gyan Chand Nagar, who was in a black Scorpio vehicle, mamber UA 07 T 1299, with his other companions. Additionally, Suraj Gupta alias Sukhi son of Saje Gupta, resident of Gyan Chand Nagar, Pritam Kumar alias Pritam son of Radhe Sham, resident of Gali Number 2. Gurmel Nagar, RajanKashyap son of unknown, resident of Gali Number 1. Gurmel Nagar, Ravideep son of unknown; and 4-5 other unknown individuals were also part of the fight. All these individuals, acting unanimously, severely injured Ajay Pandey and Aasu with iron rod, kirpans, and sticks. I and Rajan were with them, but we fled out of fear. Both Aasu and Ajay Pandey are lying severely injured on the main unpaved road in MohallaGyan Chand Nagar, near the wheat fields. I then called my brother, Amandeep Grover alias Aasu. He answered my call and spoke very slowly and in a frightened voice, saying that Jerry alias Naua, Lachhman, Suraj Gupta alias Sukhi, Pritam Kumar alias Pritam, RajanKashyap, Ravideep, and 4-5 other individuals had brutally beaten both him and Ajay Pandey with sickles, kirpans, and sticks. Then, I went on my motorcycle with my friend Seti Kumar and saw that my brother, Amandeep alias Aasu, had several deep wounds and injuries on his face and both arms, and he was bleeding profusely. Seti Kumar and I seated my brother Aasu on the motorcycle and took him to the Civil Hospital. The doctors provided first aid and stated that his condition was serious, advising us to take him to another hospital. Then we admitted him to CMC Hospital Ludhiana. Later today, I learned that my brother's friend, Ajay Pandey, was lying injured in the wheat field near my brother, but due to the darkness of the night, my brother and I, and Neti Kumar, didn't notice him. My brother's friendSaurav Singh son of Vinod Singh, resident of Street No. 4. Maha Singh Nagar, Ludhiana, later admitted Ajay Pandey to DMC via ambulance for treatment during the night. Both of them are admitted in separate hospitals in an unconscious state. I am fully confident that my brother, Aasu and his friend, Ajay Pandey, were attacked by Jerry alias Naua, Lachhman, Suraj Gupta alias Sukhi, Pritam Kumar alias Pritam, RajanKashyap, Ravideep, and 4-5 other individuals. They used their respective datar, kirpans, and sticks with the intent to kill, stopping them on the way and inflicting injuries, leaving them wounded. The reason for this enmity is that there has been ongoing animosity between my brother Aasu and Ajay Pandey, and the aforementioned individuals over some prior issue. Today, I, along with my friend Saurav Singh son of Vinod Singh, resident of Street No. 4, Maha Singh Nagar, Daba Police Station, Ludhiana, was coming to Daba Police Station to give my statement. You met us at the T-point near Gill Market, Luhara village, along with the police party. Strict legal action should be taken against these individuals, and we should be given justice. I have given my statement in your presence and in the presence of Saurav Singh son of Vinod Singh, which I have heard and confirm to be correct. Signed/- Bharat Grover. Statement corroborated by Saurav Singh. Verified by Meet Ram, SI, Daba

Police Station, Ludhiana. Dated 10-03-2025. Police Action: Today, myself SI, along with HC Gurcharan Singh 2992/Ludhiana, CT Baljinder Singh 3745/Ludhiana, and CT Navdeep Singh 3486/Ludhiana, were present at the police station. The Head Munshi handed over rukka number 78381 dated 10-03-2025 concerning Ajay Pandey son of Sunil Pandey, resident of House Number 2043, Street Number 2. Gyan Chand Nagar, Ludhiana, who is admitted to DMC Hospital due to a fight, and memo number 8190140 dated 10-03-2025 concerning Amandeep Grover son of Baldev Grover, resident of near Post Office, Balaji Colony, Ludhiana, who is admitted to CMC. Take action upon receiving these memos. Upon receiving the memo, myself SI, along with co-officers, reached DMC Hospital in a private vehicle. We submitted a written request to obtain the statement of Ajay Pandey, the patient. However, the doctor stated that the patient was unfit to give a statement and advised us to take the statement from his mother Rekha Pandey. She informed us that she did not have complete information about the incident and would provide a statement later after gathering more details. Upon this, myself SI, along with accompanying officers, arrived at CMC Hospital in a private vehicle. There, after obtaining the rukka, we submitted a written application to get the statement of patient Amandeep Grover alias Aasu. The doctor stated that the patient had undergone surgery and was unfit to give a statement. The patient's father, Baldev Grover, was present and informed us that he had no knowledge of the incident and would send his son Bharat Grover, to give the statement instead. A separate application was submitted to obtain the MLR for patient Aasu. The doctor received the application and advised us to inquire about the MLR the following day. Subsequently, myself SI, along with accompanying official, proceeded to Civil Hospital Ludhiana to inquire about patient Ajay Pandey's MLR. The concerned staff member stated that Ajay Pandey had not obtained an MLR and had jen against medical advice (LAMA) Afterward, myself SI, and the accompanying officers, in a private vehicle, reached the T-Point near Gill Market, Luhara village. There, we met Bharat Grover alias Preet, brother of patient Amandeep Grover alias Aasu son of Baldev Grover, resident of near Post Office, Luhara village, Police Station Daba, Ludhiana, accompanied by his friend Saurav Singh son of Vinod Singh, resident of Street No. 4, Maha Singh Nagar, Ludhiana. He got his above statement written by myself got it typed through my laptop by HC Gurcharan Singh 2992/Ludhiana, and after taking a printout, the statement was read out word by word to him. He acknowledged the statement as correct and signed it in English below his statement. The statement was attested by Saurav Singh, who signed in English, and myself SI, verified the statement. The contents of the statement prima facie constitute offences under Sections 109, 115(2), 126(2), 191(3), 190 of the BNS 2023. Later, MLRs, injury reports, and bed-head tickets were obtained from the hospitals of patient Ajay Pandey and patient Amandeep Grover alias Aasu, and after recording their statements, appropriate action shall be taken as per the circumstances. Therefore, after recording the present statement, the statement is being sent by hand through CT Navdeep Singh

3486/Ludhiana to the police station for registration of the case. After registering the FIR, the case number shall be communicated. Special reports shall be issued, and the Control Room and senior officers shall be informed accordingly. Myself SI, along with accompanying official, am now departing for the spot of the incident for investigation, taking the complainant and his associate with us. Signed/-Meet Ram St. Police Station Daba, Ludhiana. Dated 10-03-2025.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“8(H) The role of the petitioner.

i) Petitioner armed with iron daat along with co-accused armed with swords, daatar and dandas gave injuries to Amandeep Grover @ Ashu and Ajay Pandey.

ii) Injured Amandeep Grover @ Ashu received total 34 injuries on his body and Ajay Pandey received total 05 injuries. All injuries were declared grievous in nature.”

8. The petitioner acted with cruelty which is corroborated with the nature of injuries.

9. [Cruelty] implies there is something inhuman and barbarous -something more than the mere extinguishment of life.¹ The offense is heinous, and the crime brutal. Cruelty is one of the factors in deciding on bail. A cruel person is more likely to create a lot of insecurity in society. Once the courts form a prima facie opinion that the accused acted with cruelty, then such an accused ordinarily should not be granted bail, and if the courts deem it appropriate to grant, then it must be after specifying the reasons for such an indulgence. In the present case, an analysis of the allegations and evidence collected does not warrant the grant of bail to the accused.

¹ In re Kemmler, 136 U.S. at 436 [Refer: Matthew Lippman, Contemporary criminal law: concepts, cases, and controversies, University of Illinois at Chicago, 51, SAGE, California, USA, fourth edition, 2016].

10. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

11. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

12. **Petition dismissed.** Interim orders, if any, are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

26.08.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.