



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

103

CRM-M-54231-2025

Date of decision : 12.11.2025

KULWINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

.. Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. P.P., Punjab.

Subhas Mehla, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of BNSS, 2023 for anticipatory bail in case bearing FIR No.95 dated 20.06.2025, registered under Sections 333, 109, 126(2), 117(2), 191(3), 190 of BNS (erstwhile Sections 452, 307, 341, 325, 148, 149 of IPC) registered at Police Station Urban Estate, District Patiala.

2. The present case is that of version and cross version FIR. The facts of the FIR pertaining to the present case are that on 19.06.2025 a telephonic message was received from Head Constable that the complainant-Gurpreet Singh and his brother Jasveer Singh have been got admitted in Rajindra Hospital, Patiala after suffering injuries in a fight. On reaching the hospital, the Investigating officer recorded the statement of the complainant-Gurpreet Singh wherein he has stated that he is dealing in the business of selling and buying property. On 19.06.2025 at about 06:15 PM the complainant alongwith his elder brother Jasveer Singh and one acquaintance Ravinder Singh @ Doctor were



present in his shop. Allegedly, they were attacked by petitioner-Kulwinder Singh @ Mofar, having an iron rod along with 12/13 unidentified persons with muffled faces. The petitioner-Kulwinder Singh @ Mofar tried to give a rod blow to his brother, but failed, then the unidentified persons having muffled face, carrying Double Edged Sword (Khanda Numa Talwar) gave a blow to complainant's brother Jasveer Singh, which hit on the front side of the turban of his brother and his turban toppled from his head. Then petitioner-Kulwinder Singh @ Mofar and the unidentified persons attacked complainant & Ravinder Singh with sticks. Meanwhile, complainant's brother Jasveer Singh took out an Axe and tried to intimidate the above said persons, but he was attacked by present petitioner and unidentified persons with sticks, and his brother (Jasveer Singh) fell down on the ground. The petitioner-Kulwinder Singh @ Mofar took the axe from his brother Jasbir Singh and gave blows complainant's left leg due to which his leg was fractured; petitioner is also alleged to have given blows on the complainant's arm and hands causing the complainant's left arm to break/ fracture from two places, and his hand also got fractured.

3. Learned counsel for the petitioner contended that two DDRs were registered against the complainant regarding the incident in question, one by the present petitioner and the other one by the friend of the petitioner. Later on complainant was arrested and the present FIR was registered due to that incident. The FIR was registered after a delay of 16 days. No offence under Section 109 of BNS is made out from the contents of the FIR and from the medical report. The present FIR is nothing but a counter blast to FIR No.105 (Annexure P-2) which has been registered on account of causing head injury to the petitioner and of using of service weapon i.e. AK 47 by the friend of the



complainant who being police official wielded his influence and had got registered present false FIR. He also contended that the incident in which complainant had inflicted injuries to the present petitioner is of 04.06.2025, but the police never arrested the complaint and his co-accused- Jagdeep Singh. It is also contended that the petitioner is allegedly shown to be armed with an Iron Rod but he did not cause any injury with the said rod; rather the petitioner is alleged to have taken the axe from Jasveer Singh (brother of complainant) and allegedly caused injuries on non-vital part of body of complainant. As per the opinion of the doctor all the injuries are blunt in nature and the said blunt injuries cannot be caused with a sharp edged weapon.

4. On the other hand, learned counsel for the State opposes the grant of concession of anticipatory bail to the petitioner by way of filing reply dated 11.11.2025. Learned counsel for the State submitted that challan qua other co-accused has been submitted whereas investigation qua present petitioner is still going on. It is submitted that the petitioner is a habitual offender as he is involved in 03 more FIRs. He further contended that there were three injuries which have been declared to be grievous in nature as per medical record.

5. Heard.

6. Since the petitioner is a habitual offender and the investigation qua the petitioner is still going on, this Court finds no ground to grant the concession of anticipatory bail to the petitioner and the same is hereby dismissed. However, in order to rule out the apprehension so expressed by the petitioner that he might be tortured by the police during his custody, it is directed to the Investigating Officer concerned that at the time of arrest of the petitioner, he shall be produced before a Medical Officer at the Civil Hospital concerned and he be



medico-legally examined, and further, at the time of producing him before the Magistrate concerned, the said medical report be placed before the Magistrate concerned.

(SUBHAS MEHLA)
JUDGE

November 12, 2025
Sonia Puri

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No