

219

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-61174-2024 (O&M)
Date of Decision:- 15.01.2025

GULZAR SINGH

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. K.S. Dadwal, Advocate for the petitioner.
Mr. Rajinder Singh Bhatta, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Sh. Jatinder Pal Singh, Deputy Superintendent of Police, Sub-Division Dasuya, District Hoshiarpur, is present in Court and filed the status report by way of his affidavit along with his explanation, which is accepted and is ordered to be taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-3) as under:

FIR No.	Dated	Sections	Police Station
201	24.09.2024	126(2), 115(2), 118(1), 3(5) of the BNS; [118(2) BNS added later on]	Dasuya, District Hoshiarpur



4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that it is a case of version and cross-version, where both the parties suffered injuries. He refers to the CCTV footage to show that the complainant party had assaulted them and in that scuffle, Lakhwinder Singh sustained injuries, regarding which a DDR No.57 dated 24.09.2024 under Sections 126(2), 115(2), 3(5) of BNS was registered at Police Station Dasuya, District Hoshiarpur. He further contends that the version put forth by the complainant party is concocted and the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the status report submitted by State has opposed the petition by arguing that the petitioner along with Lakhwinder Singh had attacked the complainant with *datar* and baseball bat and caused injuries, out of which, one injury has been declared grievous in nature. He submits that the custodial interrogation of the petitioner is required to recover the weapon. Thus, prayed for dismissal of the bail petition.

6. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution the FIR was registered on the statement of Amritpal Singh that on 20.09.2024 at about 08:30 PM, Lakhwinder Singh @ Kala, Gulzar Singh (present petitioner), Sharanjit Kaur, Surjit Kaur came in front of their house and started manhandling the complainant. Upon seeing that, the family members of the complainant came outside and rescued him from the said persons. However, at about



09:00 PM, when the complainant was going to Gurudwara, he was waylaid by the petitioner and Lakhwinder Singh. The petitioner gave a *datar* blow and to save himself, the complainant raised his left hand and the said blow hit his left hand and neck. Lakhwinder Singh also gave baseball bat blows, which hit the complainant on his head and back. Thereafter, the assailants ran away and the complainant was got admitted in Civil Hospital, Dasuya.

7. In the alleged occurrence, the complainant received 4 injuries, out of which, injury No.2 has been declared grievous in nature, which is attributed to the present petitioner and the recovery of weapon used in the commission of crime is yet to be effected.

8. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

15.01.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No