



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

CRM-M No.30765 of 2026

Date of decision: 29.05.2026

Gurpartap Singh Cheema alias Gairi Cheema

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Chander Shekhar Singhal
for the petitioner.

Mr. Vaibhav Sharma, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. The present is the first petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (old Section 438 Cr.P.C.) seeking the concession of anticipatory/pre-arrest bail in FIR No.158 dated 10.04.2026, registered under Sections 118(1), 3(5) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding Sections 324, 506 and 34 IPC) at Police Station Shahabad, District Kurukshetra. During the course of investigation, Section 118(2) of the BNS, 2023 (corresponding Section 326 IPC) was also added.

2. Briefly stated, the case of the prosecution is that the complainant/injured Neeraj Kumar alleged that on 09.04.2026 at about 9:00/10:00 p.m., while he was present near Land Mark Chowk, Shahabad along with his friend Chirag, he received information that Karan @



Computer was being assaulted near the Grain Market Gate by the present petitioner Gurpratap Singh @ Gairi Cheema and co-accused Kalu @ Arun. Upon reaching the spot, the complainant and his companion allegedly attempted to intervene and rescue Karan @ Computer, whereupon the petitioner and the co-accused allegedly attacked them with a sharp-edged weapon. As a result of the assault, the injured sustained multiple injuries, including grievous injuries on his finger and arms as well as an injury on his ear. Thereafter, the accused persons allegedly fled from the spot. The injured was taken to the hospital for treatment, where multiple sharp weapon injuries were noticed. On the basis of the aforesaid allegations, the present FIR came to be registered against the petitioner and the co-accused.

3. Learned counsel for the petitioner contends that the present case arises out of a free fight between the parties and that a cross-version/cross-FIR has also been registered with respect to the same occurrence. It is submitted that the petitioner himself suffered injuries in the incident and remained admitted in the hospital. Reliance has been placed upon the medical record to contend that the petitioner suffered a comminuted fracture of the left patella along with other injuries, on the basis of which offences punishable under Section 325 IPC/117 BNS have been invoked against the complainant side. It is, thus, argued that the petitioner has been falsely implicated and, considering the existence of a cross-case and the injuries suffered by him, he deserves the concession of anticipatory bail.

4. On the other hand, learned State counsel, assisted by the



Investigating Officer, opposes the present petition and submits that serious allegations have been levelled against the petitioner. It is contended that the complainant side suffered five injuries in the occurrence and injury Nos.2, 4 and 5 have already been declared grievous in nature and were caused by a sharp-edged weapon. The said grievous injuries are specifically attributed to the present petitioner, thereby attracting the offence punishable under Section 326 IPC (corresponding Section 118(2) of BNS). It is, therefore, argued that in view of the gravity of the allegations and the nature of the injuries attributed to the petitioner, he does not deserve the extraordinary relief of anticipatory bail.

5. I have heard learned counsel for the parties and have gone through the record.

6. No doubt, the occurrence has resulted in registration of a cross-case and the petitioner is also stated to have suffered injuries. However, the injuries attributed to the complainant side in the cross-version are stated to attract offences punishable under Section 325 IPC/117 BNS. On the contrary, in the present case, the petitioner is specifically attributed the role of causing injuries with a sharp-edged weapon and out of the five injuries suffered by the complainant party, injury Nos.2, 4 and 5 have already been declared grievous in nature. The allegations, therefore, *prima-facie* attract the offence punishable under Section 326 IPC. Apart therefrom, one injury on the head has been kept pending for the final opinion of the concerned doctor. Thus, at this stage, the severity and gravity of the allegations levelled against the petitioner cannot be ignored merely



on account of the existence of a cross-case.

7. Keeping in view the nature of the accusations, the specific role attributed to the petitioner, the grievous injuries caused by a sharp-edged weapon and the seriousness of the offences involved, this Court does not find it to be a fit case for grant of anticipatory bail.

8. Consequently, the present petition is dismissed.

9. Any observation made herein shall not be construed as an expression of opinion on the merits of the case.

10. All pending applications, if any, also stand disposed of.

29.05.2026

neetu

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No