



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-70819-2025
Decided on:16.03.2026

Sandeep Kumar

Versus

.....Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ripudaman Singh Sidhu, Advocate
for the petitioner.
(through video conferencing).

Mr. Vinay Malhotra, DAG, Punjab.

Mr. Munish Kamboj, Advocate for the complainant.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
Sandeep Kumar, aged about 32 years	0120	26.10.2025	105, 3(5) of BNS	Lakho Ke Behram, District Ferozepur

2. On 23.12.2025, following order was passed:

“1. Prayer in this petition, i.e. CRM-M-70819-2025, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
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(s)					
Sandeep Kumar, aged about 32 years	0120	26.10.2025	105, 3(5) of BNS	Lakho Ke Behram,	Ferozepur

2. *Learned counsel for the petitioner, inter alia, contends that as per the allegations set out in the FIR lodged by the complainant, Ramandeep Kumar, the dispute arose on account of alleged throwing of paddy stubble into the complainant’s field, by the petitioner, Sandeep Kumar, and Harmesh Lal to which complainant’s father Gurnam Chand/victim objected. It is alleged that a scuffle ensued in the fields, during which the petitioner Sandeep Kumar and Harmesh Lal abused the complainant and surrounded the victim, Gurnam Chand. It is further alleged that during the scuffle, accused Mehinga Ram and Lekh Raj also arrived at the spot and surrounded the victim. As per the FIR, petitioner Sandeep Kumar inflicted blows on the chest of the victim with the handle of a sickle (daatri), as a result of which the victim fell down, and thereafter, petitioner Sandeep Kumar and co-accused Lekh Raj allegedly gave kicks and punches on the ribs of the victim. The injured was taken to the hospital, where he expired on the way.*
3. *Learned counsel for the petitioner submits that, in fact, no injury corresponding to the allegations attributed to the petitioner in the FIR has been found on the body of the deceased, Gurnam Chand. The injuries noticed in the post-mortem report are confined to the toe of the right foot and the left posterolateral aspect of the abdominal wall, which are not sufficient in the ordinary course of nature to cause death. Even till date, there is no medical opinion on record conclusively determining the cause of death.*
4. *It is further argued that death of Gurnam Chand appears to be natural and cannot be attributed to any act of the petitioner. Fields of both the parties are adjacent, and the alleged incident of throwing paddy stubble into the complainant’s field had taken*



place is nowhere related to the boundary dispute, since seven years prior to the present occurrence, thereby ruling out any immediate motive for the petitioner or the accused party to cause injuries to the deceased at the relevant time.

5. *Learned counsel for the petitioner also draws attention to the video recording of the incident, appended with the present petition as Annexure P-2 in the form of a pen drive, which, according to him, clearly shows that petitioner was standing in his own field and was not in close proximity to the deceased at the time when Gurnam Chand fell down. It is contended that the video supports the defence version that the deceased collapsed on his own and succumbed to a natural death.*

Thus, counsel prays for grant of the concession of anticipatory bail to the petitioner in the present case.

6. *Notice of motion.*

7. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Munish Kamboj, Advocate, puts in appearance on behalf of the complainant, and files his vakalatnama in Court today, which is taken on record.*

8. *Adjourned to 04.02.2026.*

9. *Let the pen drive be examined by the concerned Investigating Officer, and thereafter, a status report be filed by learned State counsel, highlighting all the evidence available against all the accused in the present case.*

10. *Meanwhile, petitioner – Sandeep Kumar shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel. ”*

3. Continuing his submissions, learned counsel for the petitioner submits that no injury inflicted with a *sickle/datari* has been found as per the post-mortem report. Therefore, the allegations levelled in the FIR are absolutely false and motivated on account of an already



existing dispute regarding the *dol/boundary* of the agricultural fields. Thus, he submits that petitioner is ready to join the investigation and prays for the grant of anticipatory bail.

4. On the other hand, learned State counsel has filed a photocopy of the status report in Court today. Same is taken on record. Learned State counsel submits that petitioner has been named in the FIR with the allegations of inflicting injuries on the chest of the deceased with the handle of a *sickle/datari*, due to which the victim, Gurnam Chand, fell down in the fields. Learned State counsel further submits that while the victim was lying on the ground, petitioner inflicted injuries on his ribs by giving kicks and punches. When the complainant intervened, he was also given injuries and the accused even tried to scuffle with him. Thus, he prays for the dismissal of the present petition.

5. I have heard learned counsel for the parties and gone through the paper-book.

6. The alleged incident took place in the fields on 25.10.2025. The complaint was moved on 26.10.2025 and the impugned FIR was also registered on 26.10.2025. In the post-mortem report dated 27.10.2025, two injuries have been noticed on the person of the deceased, namely Gurnam Chand, which read as under:

Injruries	Marked	Injury number
Reddish abrasion 1.0 cmx0.8 cm present on upper and inner aspect of First Toe of right foot.	Yes	1
Reddish Bruise 2.0cm x 1.0 cm present on left posterolateral aspect of abdominal wall on	Yes	2



dissection infiltration of blood seen in soft tissue planes.		
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7. The moot question which appears to require examination during investigation/trial would be whether the alleged injuries noticed during the post-mortem examination conducted on 27.10.2025 were suffered by the deceased on 25.10.2025 or subsequent thereto. Another aspect that requires consideration is whether the reddish abrasion could have sustained up to the third day from the date of the incident. This would also be relevant for examining the allegations levelled by the complainant in the FIR, from which it could be ascertained whether the FIR was recorded at the relevant time or was ante-timed.

8. Looking at all these aspects and after going through the relevant parameters, prima facie it does not appear appropriate to subject petitioner to custodial interrogation at this stage. Accordingly, present petition is allowed. Petitioner is directed to join the investigation within two weeks from today. In the event of his arrest, the petitioner shall be released on bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he



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possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

9. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 16,2026
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Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO