

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

2026.PHHC:016757



CRM-M-73484-2025 (O&M).
Date of decision: 04.02.2026.

VICKY @ SUKHDEEP SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vinod K. Kaushal, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of pre-arrest bail to the petitioner
in case bearing FIR No.213 dated 11.12.2023, under Section(s) 323, 324, 148
and 149 of the Indian Penal Code, 1860 (Sections 326 and 201 of IPC added
later on), registered at Police Station Kamboj, District Amritsar Rural,
Amritsar.

FIR in the present case was registered on the statement of Ramesh Chander son of Charan Dass. The translated version of the same reads thus: -

"I am resident of above noted address and I am running shop under the name of Guru Kirpa Bakery and Sweets at Bus stand Pandori Waraich. On 29.11.2023 at 7.45 PM, the bulb in the shop were switched on, I and my son Gaurav Sharma were talking to each other by sitting in the shop. In the meantime, 1) Ravi son of Bittu armed with Datar, 2) Vicky son of Bittu armed with sword, 3) Bittu son of Piara Singh armed with Sword, 4) Ajay son of Balkar Singh armed with sword, 5) Karan son of Mukhtar Singh armed with baseball, 6) Jaipal son of Bhaggi empty hands all residents of village Pandori Waraich came there along with their 2-3 unknown associates on 3-4 motorcycles and Jaipal has raised Lalkara that catch them and give them taste for restraining us one day before to visit their shop in drunken condition, then Ravi has given blow of his Datar to me which hit on the right side of my head, Vicky has given blow of his Kirpan to me which hit on my head, Bittu has given blow of his Kiran to me which hit on my head, Ajay has give blow of his Sword to me which hit on my head, Karan has given blow of his baseball to me which hit on the right side eyebrow of my forehead, due to which, I fell down on the ground. I and my son Gaurav have raised noise "Mardita Mardita" then Surjit son of Wazir Singh resident of village Pandori Waraich who is running his cart in front of my shop, also came at the stop and on looking the gathering of other shopkeepers, all the above said persons ran away from the spot along with their respective weapons on their motorcycles. They have also beaten my son with fist blow. Gaurav Sharma and Surjit Singh have arranged vehicle and got me admitted in Shri guru Nanak Dev Hospital, Amritsar. The motive behind the grudge is that one day before, Ravi, Jaipal

came to my shop who were in drunken condition and were raising noise and at that time, ladies customers were also at my shop, so I restrained them from doing so and they had gone from the spot that we will see you later. Due to said grudge, above said persons along with their associates came at my shop on 29.11.2023 at around 7.45 PM and caused injuries to me with Datar, swords and baseball. After my treatment, the doctor had discharged me from the hospital. Till date the respectables were in the process to compromise the matter between us, which could not be come to an end. I was going to inform about it then you met me. I have got my statement recorded to you, I have heard it, same is correct. Action be taken against the above said persons because Ravi has given blows of Kirpan on my head with the aim to kill me. Action be taken.”

Learned counsel for the petitioner(s) contends that the petitioner is alleged to have inflicted a blow to the right side of the head of the complainant. He contends that more than two persons are alleged to have inflicted blows on the same site, i.e. head and under the given circumstances, it is difficult to attribute the fracture on the head to any specific person or that the injury is related to the blow inflicted by the petitioner. He contends that a total of five injuries were noted; injuries Nos. 1, 3, 4 and 5 were initially treated as simple injuries and injury No.2 was kept under observation. He contends that injury No.2 and the alleged fracture on the left parietal bone are not in concurrence with each other. It is thus contended that the circumstantial evidence does not support the medical evidence, and as such, the petitioner deserves the concession of pre-arrest bail.

A short reply by way of affidavit of Yadwinder Singh, PPS,

Deputy Superintendent of Police, Sub Division Attari, Amritsar Rural, has been filed on behalf of the respondent State wherein it has been averred that the medico-legal report of the complainant, Ramesh Chander, was obtained by the police on 30.11.2023. The opinion of the doctor shows that there was a fracture on the parietal bone on the left side of the head. It is submitted that the petitioner, who was armed with a kirpan, opened an attack on the complainant in furtherance of his common object. There were four injuries to the head. State counsel contends that specific attribution has been made to the petitioner; there are no compelling circumstances as to why the concession of anticipatory bail should be granted to him.

I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition.

It is evident from a perusal of the above that there were as many as 04 injuries (all on the head), which reflect that the attack was premeditated and the injuries were caused on a vital body part with sharp-edged weapon(s), including a Kirpan. The manner and nature of injuries sustained by the complainant reflect that it was a conscious act on the part of the petitioner and he has been specifically nominated as an accused. A mere failure to specifically impute the injury, which resulted in fracture of the parietal bone, would not make a ground for the petitioner to claim that he should not be fastened with any liability.

There are no compelling circumstances pointed out by counsel for the petitioner as would persuade this Court to extend the benefit of pre-arrest bail to the present petitioner.

Finding no merits, the present petition is accordingly dismissed.

February 04, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*