



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

CRM-M-62740-2024
Date of decision: 23.01.2025

Anuj Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Harkaran Singh, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

Mr. Harmanpreet Singh, Advocate for the complainant.

KARAMJIT SINGH, J. (ORAL)

1. Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.108 dated 16.11.2024 registered under Sections 115(2), 118(1), 126(2), 351(1), 191(3), 190 of BNS 2023, registered at Police Station Chamkaur Sahib, District Rupnagar.

2. The present FIR was registered on the basis of statement dated 16.11.2024 suffered by complainant Avijeet wherein he alleged that on 14.11.2024 at about 6:30 PM, he along with his friend Suraj Kumar was standing near Balgan Sweets Shop, Sri Chamkaur Sahib, then present petitioner and Gurjant Singh @ Jati entered into an argument with aforesaid Suraj Kumar and thereafter, they went to their house. Subsequently, complainant received a phone call from Devinder @ Baba who informed to him that Gurjant Singh @ Jati along with some other youths was roaming in the city to beat him and his friend Suraj. Devinder Singh @ Baba asked



them to reach near canal, so that matter be settled between them. On this, complainant, Suraj and Harsh reached at canal near Khawaja Mandir. Then Devinder Singh @ Baba along with Gurjant Singh @ Jati, Gola, Mani, Arsh @ Palar and petitioner along with two unidentified boys came there on two motor cycles and they were armed with swords. Anmolpreet Singh who was present there asked both the parties to resolve the matter by talking to each other. However, Gurjant Singh @ Jati and Devinder Singh @ Baba raised Lalkara to eliminate the opposite party. Present petitioner gave sword blow which hit on the left arm of Anmolpreet Singh. Gurjant @ Jati gave sword blow which landed on left palm of the complainant. Devinder Singh @ Baba gave sword blow which hit on/near nose of Suraj just below his eye. The complainant party tried to ran towards the fields but were chased and the accused persons gave further beatings to them.

3. The counsel for the petitioner *inter alia* submits that there is delay of two days in lodging of FIR and the petitioner is falsely implicated in the present case. It is further submitted that the alleged injury caused by the petitioner is on non vital part of the body of injured and that the petitioner is ready to join investigation with the police.

4. Status report by way of an affidavit of Manjit Singh Aulakh, Deputy Superintendent of Police, Sub Division Chamkaur Sahib, District Rupnagar filed on behalf of the State is taken on record along with Annexures R-1 to R-4.

5. The present petition is resisted by the State counsel who submits that injury caused by the present petitioner with the help of sword on the person of Anmolpreet Singh is found to be grievous in nature, as per



medico legal case summary (Annexure R-1). It is further submitted that the petitioner is required by the police for the purpose of proper investigation.

6. Petitioner is specifically named in the FIR and specific injury is attributed to him. As per the medico legal case summary Annexure R-1, the injury caused by the present petitioner on left arm of Anmolpreet Singh, with the help of sharp edged weapon is found to be grievous in nature. The recovery of the weapon used by the petitioner in commission of crime is still to be effected. The custodial interrogation of the petitioner is necessary for the purpose of proper and effective investigation, even if in the instant case, there was delay in lodging of FIR.

7. For the foregoing reasons, the present petition is dismissed, without expressing any opinion on the merits of the case.

23.01.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**