

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25421-2025
Reserved on: 03.09.2025
Pronounced on: 09.09.2025

Lekh Raj ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kamal Narula, Advocate,
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J.

DDR No.	Dated	Police Station	Sections
36	30.08.2024	Lakho Ke Behram	115(2), 3(5) BNS (Sections 118(1) and 118(2) added later on)

IN

FIR No.	Dated	Police Station	Sections
74	30.08.2024	Lakho Ke Behram	126(2), 115(2), 191(3), 190 BNS

1. The petitioner apprehending arrest in the DDR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. Vide order dated 12.05.2025, the petitioner was granted interim bail by the co-ordinate Bench of this Court, which is continuing till date.

3. In paragraph 17 of the bail petition, the accused declares that he has no criminal antecedents.

4. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“3. That in compliance to the order dated 12.05.2025, it is most respectfully submitted that DDR No.36 dated 30.08.2024, Under Sections 115(2), 3(5) of BNS and (offence under Sections 118(1) and 118(2) of the BNS were added later-on), in FIR No.74 dated 30.08.2024. Under Sections 126(2), 115(2), 191(3) and 190 of BNS, Police Station Lakho Ke Behram, District Ferozpur was registered on the statement of Simran Kaur wife of Sanjog Kumar with the allegations that on 25-8-2024 at about 4-30 PM, she has gone from her house towards the fields in order to bring fodder. When she

(Simran Kaur) reached at some distance from her house, then Kala Singh son of Vallu Singh armed with iron Sabal, his son Lekh Raj (present petitioner) armed with a kappa and Channa Singh empty handed met her and on seeing her, they raised a lalkara to catch hold of her as she is not giving their three marlas of land. She tried to turn back, then all the accused caught hold of her. She tried to rescue herself from the accused and in this process her clothes were torn. Lekh Raj (present petitioner) gave a blow of his kappa to Simran Kaur, which hit on her right hand.

4. That later-on, Sanjog Kumar husband of Simran Kaur, got her admitted in the Civil Hospital, Mamdot, where her MLR no.1442/RB/CHC/MDT/24 dated 25.08.2024 was conducted by the doctor and the Doctor recorded following injury:

3x1 cm deep incised wound with clotted blood present on right hand medial part. Advise-x-ray.

The said injury is shown to be caused with a sharp edged weapon. The said injury is attributed to the petitioner.

5. That later-on, as per the final opinion of the Doctor, the said injury was declared as grievous in nature after x-ray report as fracture present on metacarpal bone of right little finger. Thus vide GD no.012 dated 14.09.2024, offences u/s 118(2) BNS was enhanced in the DDR no.36 dated 30.08.2024.”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family. Counsel for the petitioner submits that this DDR is a counter blast of FIR got registered by his father to whom seven injuries were inflicted by the complainant party.

6. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The State's counsel opposes bail and refers to the status report, however, admits the fact that petitioner joined investigation.

8. It would be appropriate to refer to the following portions of the status report, which reads as follows:

“Role of petitioner

8. That as far as the role of the petitioner is concerned, he was specifically named by the complainant Simran Kaur in her statement having armed with kappa and he gave a kappa blow, which hit on the right hand of the complainant and the said injury was declared as grievous in nature. Thus, the petitioner has committed serious offence.”

REASONING:

9. No doubt grievous injury is attributed to the petitioner, however, as per the victim,

assailants were three in number. This is a case of version and cross version who is aggressor cannot be said at this stage.

10. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

11. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the witnesses, hampered the investigation, or, despite being called to join the investigation, did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, which is made absolute subject to the petitioner complying with the terms of the bail order.

12. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

13. **Petition allowed in terms mentioned above.** Interim order dated 12.05.2025 is made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)
JUDGE**

09.09.2025

Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.