



CRM-M-65569-2024

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

CRM-M-65569-2024  
Date of Decision: 13.01.2025

Gurjeet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sant Pal Singh Sidhu, Advocate  
for the petitioner.

Mr. Sukhdev Singh, A.A.G., Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
41	11.07.2024	Talwandi Chaudhrian, District Kapurthala	118(1), 3(5), 109 of BNS, 2023

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

2. Per paragraph 14 of the bail application, the accused has the following criminal antecedents:-

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	85	30.06.2021	25 of Arms Act	Fattu Dhinga
2.	81	30.06.2021	399, 402 IPC and 25 of Arms Act	Fattu Dhinga

3. The facts and allegations are being taken from FIR Annexure P-1, which reads as follows:-

*“Statement of Bohar Singh son of Pritam Singh resident of Bare Ke, P.S. Sadar Ferozepur, Distt. Ferozepur aged about 31 years Mob. No. 98152-95994 stated that I am resident of above mentioned address. We are doing the work of filling the earth on the roads. From the last three months, our firm namely Parminder Trading Company is filling the earth on the Delhi-Jammu Katra Highway near Talwandi Chaudharian. Gurpreet Singh son of Bikkar Singh is a resident of Village Saner Road, Zira, Distt. Ferozepur who is the son of my maternal uncle and he is also*



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*working with us. On 10.07.2024 at about 11:30 O'clock I and Sukhpal Singh son of Nasib Singh resident of Saner Road, Zira were doing our work where we were filling the earth on the road. Then Gurpreet Singh son of Bikkar Singh resident of Saner Road brought the tea for us from Talwandi Chaudharian on a motorcycle and he WAB to whom nervous we asked that what happened then he told that Gurjit Singh son of Jassa Singh resident of Bhaini Husse Khan who is also filling the earth nearby us who hit the side of the truck and I asked from him for this reason then he started abusing with me and some of the passerby got pacified us and sent both of us. Then at about 11:45 O' clock Gurjit Singh son of Jassa Singh armed with gandasi Jassa Singh son of unknown armed with dang resident of Bhaini Husse Khan and two unidentified persons came there on 1-20 car where working were we the near Dhussi embankment near Talwandi Chaudharian and on reaching Jassa kath Singh raised Lalkara that catch hold Gurpreet Singh and teach him a lesson for arguing with my son. Then Gurjit Singh gave gandasi blow with an intention to kill to our companion Gurpreet Singh which hit on his head and he fell down unconsciously. Then we raised the alarm "Maar Ditta -Maar Ditta" and all the above said away from the spot accused with persons ran their respect: weapons and then we arranged a conveyance and took Gurpreet Singh to Civil Hospital, Sultanpur Lodhi and after examined by doctor and on account of serious condition doctors referred Gurpreet Singh Hospital, Jalandhar where Gurpreet Singh in Jalandhar. Thereafter, to Civil we got admitted civil hospital, the health of Gurpreet Singh became more deteriorated and we admitted got Jalandhar where him in NHS Hospital, he Reason of this grudge Singh told Gurjit Singh is under treatment. is that Gurpreet that drive the vehicle carefully then they came in anger and caused injuries to our companions. Legal action be taken against them."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the status report.

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

*"6. That the complainant has further stated that the motive behind the occurrence was that Gurpreet Singh has asked Gurjit Singh to drive his vehicle carefully. Later, the injury was declared as dangerous to life thus offence under section 109 of BNSS was added in the case as such complainant has requested to take legal action against them."*



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7. That complainant was medico legally examined vide MLR No HPK/51/CH/SPL/2024 dated 10.07.2024 and as per the MLR, he suffered two injuries out of which injury no.1 was sharp in nature and was dangerous to life and injury no.2 was simple in nature. It was opined as under:-

**Injury No.1:- A 10 x 5.5 cm sutured wound on the left parietal region with compound comminuted depressed fracture of left Frontal bone, (CT Head report showed-Left Fronto Temporo Parietal acute Subdural haemorrhage with multiple haemorrhagic contusions, periesional edema, mass effect and midline shift) Injury 1 is sharp in nature and dangerous to life.**

Copy of Medical opinion is annexed herewith as Annexure R-1.

8. That after registration of FIR, petitioner filed anticipatory bail before the Court of Ld Sessions Judge, Kapurthala however the same was rightly dismissed by the Court of Ld Additional Session Judge, Kapurthala.

9. That investigating officer has got issued the LOC against co accused Gurjit Singh vide MLR No. 2400001390.09.2024 however he is still at large.

Role of petitioner

10. That there are specific allegations against the petitioner and co accused Jassa Singhj for inflicting injuries on the person of complainant, moreover injury no.1 on injured Gurpreet Singh caused by petitioner was declared dangerous to life hence petitioner is not entitled for relief of anticipatory bail as weapon of offence is yet to be recovered from petitioner as such custodial interrogation of petitioner is necessary thus present petition is liable to be dismissed.”

7. As per FIR, petitioner was armed with gandasi and co-accused raised lalkara to catch hold of Gurpreet Singh and to teach him a lesson for arguing with his son. After that, Gurjeet Singh is attributed gandasi blow on the head of Gurpreet Singh due to which he fell. Perusal of the medical record mentions an incised wound 10 cm x 5.5 cm on the left parietal aspect of skull. As per medical record provided by NHS Hospital, there was fracture on temporal bone, zygomatic arch and greater wing of sphenoid on left side. In case petitioner had any grievance with the complainant party, they had ample time to approach the police, but instead of doing so, they took the law in their own hands and the petitioner who was armed with gandasi gave a wound on the skull which is one of the most vital part of the body which led to fracture.

8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.



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

10. **Petition dismissed.** Interim orders, if any, are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)  
JUDGE

13.01.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.