



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

**110**

**CRM-M-22993-2025  
Date of decision: 30.04.2025**

Mohit Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Davinder Singh Saini, Advocate for the petitioner.

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**MANJARI NEHRU KAUL, J.**

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the BNSS, 2023 in case FIR No.81 dated 13.09.2024 under Sections 118(1), 333, 61(2) of BNS, 2023 (Section 118(2) of BNS, 2023 added lateron), registered at Police Station Balachaur, District Shaheed Bhagat Singh Nagar.

2. Learned counsel for the petitioner has primarily contended that the FIR in question (Annexure P-1) is nothing but a counter-blast to an ongoing family dispute concerning ownership and possession of a residential house. It is submitted that the complainant and her husband have been disowned by the mother of the petitioner, Darshana Devi, who is stated to be the lawful owner of the property. In support, learned counsel has drawn the attention of this Court to an affidavit of disinheritance and a sale deed purportedly executed in favour of his mother. It has been further argued that the complainant has falsely implicated the petitioner out of spite and in an attempt to exert pressure



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in the property dispute. It has still further been asserted that the petitioner was not even present at the spot at the relevant time and has been wrongly roped in by way of a concocted narrative.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. A bare perusal of the FIR (Annexure P-1) reveals a specific, categorical, and graphic allegations against the present petitioner. The complainant, who is none other than the sister-in-law of the petitioner, has clearly attributed to him the role of being an active participant in a brutal assault within her home. The petitioner is alleged to have forcibly entered the premises in the company of his mother and another unknown person, armed with a *gandasa*, and to have inflicted multiple blows upon the complainant.

5. The nature of injuries sustained by the complainant, as described in the FIR, are not superficial or of her routine kind. On the contrary, she has suffered grievous injuries on both arms and on her thigh, which required immediate medical attention and eventual referral for plastering. The injuries described are *prima facie* consistent with the manner of assault narrated, and cannot be brushed aside as self-inflicted.

6. The petitioner is not alleged to be a mere bystander to the incident. The perusal of the FIR reveals that it was a concerted, premeditated attack, motivated by the desire to forcibly evict the complainant and her husband from the disputed house. The active and violent participation of the petitioner, who is alleged to have wielded a



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deadly weapon and inflicted repeated blows, *prima facie*, demonstrates his central role in the commission of the offence.

7. The argument of the learned counsel that the FIR is rooted in a property dispute, cannot override or dilute the seriousness of the specific allegations, especially when those allegations are *prima facie* supported by medical evidence. In the facts and circumstances as enumerated hereinabove and the role attributed to the petitioner in the occurrence in question, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**30.04.2025**

Vinay

**(MANJARI NEHRU KAUL)  
JUDGE**

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