



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27666-2025
DECIDED ON: 20.05.2025

CHARANJIT KAUR AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Anil Kumar Garg, Advocate
for the petitioners.

SANDEEP MOUDGIL, J (ORAL)

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 B. N.S. S., 2023 (Bharatiya Nagarik Suraksha Sanhita, 2023) for grant of anticipatory bail to the petitioners in FIR No. 0092 dated 30.04.2025, under Sections 109, 333, 115(2), 190, 191 (3) of B. N.S., 2023 (Bharatiya Nyaya Sanhita, 2023), registered at P.S. Sadar Dhuri, District Sangrur.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Sukhchain Singh, son of Kulwinder Singh, resident of village Isra, Police Station Sadar Dhuri, aged about 21 years, mobile number 987735704, stated that I am resident of the above-mentioned address and a student of B.A. third year. My grandfather is an elderly man and takes medication regularly. On the date 28.04.2025, my grandfather Hemraj Singh was harassed by our neighbor Iqbal Singh son of Kuljeet Singh,

resident of Isra. My grandfather objected to Iqbal Singh's inappropriate behavior. In response, my grandfather threw stick. Just then, Jagdeep Singh alias Kaka son of Baldev Singh, Balkar Singh son of Jagdeep Singh, Ars son of Kulwant Singh, Kuljeet alias Keeta son of Baldev Singh, and Iqbal Singh son of Kuljeet Singh came out of their houses and started verbally abusing. At that time, it was around 5/5:30 PM. I took my grandfather inside our house from street and shut the gate. The above-mentioned persons began to push and hit our gate. Since it was closed, they eventually returned to their houses. Later, around 6:00 PM, my father Kulwinder Singh returned home from his daily labor. When we opened the gate, Jagdeep Singh son of Baldev Singh who was having iron Dah in his hand, Balkar Singh having stick, Aras son of Kulwant Singh having stick, Kuljit Singh @ Keeta having stick in his hands and on coming Jagdeep Singh @ Kaka attacked me with the intent to kill me with iron Dah directly on my head. I tried to defend myself, then he struck me again, this time on the left side of my head. Then Balkar Singh hit me on the back of my head with a stick. After that, Kuljeet Singh alias Keeta struck my father Kulwinder Singh on the head with his stick. Then Iqbal Singh, son of Kuljeet Singh, picked up a stick and entered our house. Then, Iqbal Singh struck my father with a stick, which hit his right shoulder. After that, my brother Gagandeep Singh and my mother Krishna ran forward to rescue us. At that moment, Aras's mother and Charanjit Kaur, wife of Kuljeet Singh, also entered our house. Both of them grabbed my mother by her hair. Then Aras, son of Kulwant Singh, struck my brother on the head with a stick. After that, Kuljeet Singh hit my mother on the head with a stick. Aras's mother and Charanjit Kaur then picked up tong (Chimta) and a fire blower (Fookni) (used for stoking fires) from our house and struck my mother, hitting her left arm. Then Iqbal Singh again hit me with a stick, this time behind my right ear. Kuljeet Singh also struck me with a stick, hitting the

left side of my nose. I fell unconscious and collapsed on the ground. My brother Gagandeep Singh was also badly beaten. We raised an alarm, shouting for help. Upon hearing the noise, local people gathered, and then all the accused fled the scene along with their weapons. Later, my uncle Sawanpreet Singh came from Malerkotla and took us in his car to Civil Hospital Dhuri for medical treatment. After receiving first aid at Civil Hospital Dhuri, I was referred to Civil Hospital Sangrur. The next day, i.e., on 29.04.2025, my father, mother, and brother were also referred to Civil Hospital Sangrur, and all four of us are currently under treatment there. Today I am giving this statement to you, which has been read back to me and is correct. Proper legal action should be taken against the mentioned accused persons. The reason for the grudge is that my grandfather Hemraj, who is elderly and takes psychiatric medication, is often verbally abused by the accused, which led to them attacking us and causing these injuries. This statement has been given in the presence of my parents and brother.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioners submits that they have been falsely implicated in the present case. It is further submitted that the injury attributed to petitioner No.1 is of a simple nature, while no injury has been attributed to petitioner No.2. The specific allegation against petitioner No.1 is that he allegedly held the complainant's mother by her hair and assaulted her with a *chimta* and *fookni*, whereas there are no specific allegations against petitioner No.2. The petitioners are ready and willing to participate in the investigation and cooperate with the investigating officer, as has been undertaken before this Court by their learned counsel.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jastej Singh, Addl. A.G., Punjab accepts notice on behalf of the respondent-State, who does not controvert the aforesaid fact and opposes the grant of anticipatory bail to the petitioners on the ground that the petitioners along with other co-accused persons formed an unlawful assembly and launched a deadly attack on the complainant and his family members with the intent to kill.

4. Analysis

Be that as it may, considering the nature of injuries and the role attributed to the petitioners added with the fact that the State counsel could not put forth any incriminating material to force the custodial interrogation of the petitioners as well as considering the undertaking given before this Court by learned counsel for the petitioners that the petitioners are ready and willing to join the investigation and cooperate with the investigation officer concerned, this Court do not find any reason to decline anticipatory bail to the petitioners.

5. Relief

In the light of above, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

20.05.2025

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No