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2025:PHHC:053232



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

**CRM-M-21657-2025
DECIDED ON: 25.04.2025**

DEVPREET SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Vivek Salathia, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNS for grant of anticipatory bail to the petitioner in a criminal case arising out of FIR No. 0289 dated 15.12.2024 U/s 109, 115(2), 191(3), 190 of BNS and Sections 25/27/54/59 of Arms Act (offence u/s 118(2), 238 BNS added later on) registered at Police Station City Tarn Taran District Tarn Taran (Annexure P-1).

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

“Statement of Satnam Singh son of Mohan Singh resident of Malian Police Station city Tarn Taran aged about 58 years Mobile No. 9872197289 stated that I am a permanent resident of the said address and I am posted as a lecturer at Senior Secondary School village Kang. Our house is on the outskirts of the village at village Malian. My brother Wassan Singh and I live together in Doha and our house is adjacent to the land of Sukhwinder Singh son of Sarwan Singh. When we built our

house we had left a space outside the boundary wall of 2 feet for the safety of our land but Sukhwinder Singh often used to remove the soil along with the 2 feet space left by us while plowing his land. A petition has also been given regarding which DSP Sub Division Goindwal Sahib has confirmed the presence of 2 feet boundary wall in his report and in this regard our court case is also going on regarding which a stay order has also been issued by the honorable court. Brother Wassan Singh was coming back to his house and my brother was coming behind me. When I entered the house my brother was on the road when Sukhwinder Singh started cursing. I heard the sound of cursing. I opened the gate but it was around 09:55 AM that Sukhwinder Singh Musalla came towards my brother cursing and when he saw me he directly hit my brother with his Kirpan on his right arm, my brother Wassan Singh fell on the ground due to his old age and severe injuries. Devpreet Singh son of Baljinder Singh resident of Mallian and Kuldeep Singh alias Shah son of Piara Singh resident of Mallian who had pistols in their hand and 3 other un-identified persons came by chance. Devpreet Singh and Kuldeep Singh alias Shah fired their pistols with the intention of killing me and my brother. Un-identified persons abused and heard the noise of Marifera in our house, our other family members and villagers came out of the house then seeing the people gathering together ran from the opportunity shouting abuse with their own weapons. I and my nephew Ranjit Singh arranged a ride and admitted my brother Wassan Singh to Civil Hospital Tarn Taran for treatment where he is undergoing treatment. Apart from I have come to the police station to report to you where you have met the claimant, legal action should be taken.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that it is a case of version and cross-version, where the petitioner's side (Sukhwinder Singh, his

wife Ranjit Kaur, and his mother) allegedly faced an attack on 15.12.2024 and despite medical evidence (MLR) and a complaint by Ranjit Kaur, her version hasn't been recorded. Instead, a different version, as stated in the FIR, was registered, allegedly under political influence. He further contends that the allegation against the petitioner is of firing weapon upon the complainant. It has been contended on behalf of the petitioner that no specific injury has been attributed to the petitioner and there is no injury which is declared dangerous to life, as is evident from MLR (Annexure P-2).

The petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned as has been undertaken before this Court by learned counsel for the petitioner.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is alleged to have fired towards Wassan Singh, brother of the complainant but very fairly submits that the said shot did not hit him.

4. **Analysis**

Be that as it may, considering the fact that it is a case of version and cross-version and the facts that no specific injury has been attributed to the petitioner and whatever injury was inflicted upon the complainant/injured, the same has not been declared dangerous to life; nothing is to be recovered from the present petitioner, for which his custodial interrogation is required at this stage. Also considering the fact that

the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned as has been undertaken before this Court by learned counsel for the petitioner.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him 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 petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNS, 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 petitioner does 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.

25.04.2025

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No