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

CRM-M-19406-2025

Date of Decision:01.05.2025

Jaskaran Das @ Jassa Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Kirat Pal Dhaliwal, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the second petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.89 dated 20.09.2024 registered under Sections 117(2), 115(2) and 324(4) of BNS (Sections 110, 118, 190 and 191 of BNS were added later on) at Police Station Joga, District Mansa.

2. The FIR in the present case was registered on the basis of the statement made by Amrik Singh son of Sher Singh and the same has been reproduced below:-

“Statement of Amrik Singh son of Sher Singh, resident of Alisher Kalan, age about 30 years, Mob: No: 62806-53384 stated that I am resident of the above said address. On 18.09.2024, I was present at my home, when I received a call from mobile phone number 9876613815 from Tari Singh son of Charnan Singh, resident of Anupgarh that you should reach at Gurdwara Sahib Alisher Kalan, as I have to pay your money, then I went into my car Alto number HR 51V 6340 and reached the Gurdwara

Sahib, then there was a car silver color in which Tari Singh son of Charnan Singh was sitting and got out of the vehicle along with Jassa Singh son of unknown resident Joga armed with Kirpan and Tari Singh armed with iron rod and 6/7 unknown persons who were armed with dangs, sticks were also standing behind, after getting down from the vehicle, Tari Singh came towards me. When I got down and went towards Tari Singh, he first shook hands with me, then started challenging me and said that every time you put pressure upon me to pay money, let us settle accounts with you today. Then he gave blow on me with the Dasti iron rod which hit my face, which knocked out my teeth. Then Jagga Singh hit me with kirpan which hit on my left leg, Tari Singh again gave blow on me with his rod, which hit on my face. Then Jagga Singh hit me with kirpan which hit on my left arm, then the unknown persons hit me with their hand sticks which hit my right thigh and left thigh then Tari Singh hit my nose with his rod and one more time hit my pelvis. When I made a noise, "Marta Marta" then my elder brother came to the spot, and on seeing him, the accused ran away from the spot by smashing my car HR 51V 6340. Legal action should be taken against the accused. I have recorded my statement, heard, it is correct. Sd-Amrik Singh."

3. Learned counsel for the petitioner contends that the occurrence had taken place on 18.09.2024, whereas the FIR was got registered by the complainant on 20.09.2024 and the delay was utilized in concocting a false story in the present case. He further refers to the MLR (Annexure P-3) of the complainant to contend that even the injuries caused by the present petitioner were declared to be simple in nature. Learned counsel further contends that in fact, the complainant in the present case is a member of Kissan Union and now under the pressure of Kissan Union, the petitioner has been falsely involved in

the present case. He next contends that the dispute between the complainant and Tari, co-accused of the petitioner was a civil dispute and the complainant had called the accused in the present case to return the money. However, by colluding with the local police, the present FIR has been got registered by the complainant.

4. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Mansa, District Mansa has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel submits that the petitioner had caused injury with a *Kirpan* on the left leg and left arm of the complainant and had suffered injuries No.6 and 7 on his person, which are as under:-

“6. Plaster of paris and bandage being found applied over left arm and left forearm tenderness present, Adv. X-Ray and Ortho Observation.

7. Plaster of paris and bandage being found applied over left leg and left foot. Tenderness present Adv. X-Ray and Ortho observation.”

Learned State counsel further submits that as per X-Ray report, injuries No.6 and 7, which are attributed to the present petitioner, have been declared to be grievous in nature. Further, the weapon of offence i.e. *Kirpan* is yet to be recovered from the present petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, the petitioner has specifically named as one of the assailants and has been attributed a specific role. It is apparent that the petitioner is attributed two injuries with *Kirpan* on the left leg and left arm of the complainant and both the injuries have been declared to be grievous in

nature. Whether, the injuries were caused from sharp side or reverse side is a subject matter of adjudication before the trial Court and it would be a matter of evidence before the trial Court.

7. However, at this stage, keeping in view the seriousness of the allegations against the petitioner as well as the need of custodial interrogation to recover the weapon of offence, the present petition deserves to be dismissed by this Court.

8. Ordered accordingly.

(N.S.SHEKHAWAT)
JUDGE

01.05.2025
hemlata

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