



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

107

CRM-M-24385-2025

Date of decision: May 6th, 2025

Yadwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.124 dated 09.09.2024 under Sections 118(1), 115(2), 351(3), 191(3), 190, 118(2) of the BNS, 2023 registered at Police Station Sadar, Bathinda.

2. Learned counsel for the petitioner has contended that the FIR in question (Annexure P-1) was initially lodged against unknown persons and that the name of the petitioner does not find mention therein. It has been further submitted that the petitioner has been nominated only on the basis of a supplementary statement recorded by the complainant two days after the incident, with no plausible explanation offered for such a considerable delay. Learned counsel has further argued that no specific role or overt act has been attributed to the petitioner, and that the delay of more than 48 hours in lodging the FIR raises serious concerns regarding the authenticity of the prosecution version, suggesting afterthought and embellishment by the complainant.

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

4. Before proceeding further, it would be relevant to reproduce the allegations levelled in the FIR, which are as under:-

“Copy of statement. Statement of Gurjit Singh son of Darshan Singh son of Bachittar Singh resident of Near Modern ITI Village Jassi Pau Wali District Bathinda, aged about 37 years. Mobile No.9781615646. Stated that I am resident of above said address. I am running a Dhaba on the Bathinda Mansa Main Road, JassiChowk, in the area of Jassi Pau Wali under the name of Apna Dhaba. Navjot Kaur daughter of Dilbag Singh resident of Village Panjwar Kalan, District Tarntaran who is serving in the 5th Commando Battalion, Bathinda. Her belt No.is 292 Commando. He was getting food Tiffin from my Dhaba in routine. She became known to me. In the month of March 2024, Navjot Kaur said to me that she want to purchase gold but she is lacking amount. However, I believed Navjot Kaur and gold worth Rs.1.05 Lakh was purchased by Navjot Kaur from Bikran Jewelers, Surkhpur Road, Bathinda on my quarantee. I had taken responsibility that Navjot Kaur will give amount to Bikzan Jewelers. At that time, Navjot Kaur had given some amount to Bikran Javeler and some amount was to be owed. had given Rs.46000/- to Bikram Jeweler from my own and some amount yet to be paid. When, I asked Navjot Kaur to return the amount of Bikran Jeweler as well as my amount, but Navjot Kaur refused to return my amount as well as that of Bikram Jeweler. Few days back, I had also given complaint against Navjot Kaur to his Battalion Officer. Navjot Kaur has said that you are tarnishing my image in the department and she will teach me lesson. On dated 07.09.2024, I have received phone call from mobile No. 7814169009 to my mobile No. 9781615646 and some unknown person was asking me for my location, But I did not disclosed anything about

me. Then again the above said person said that he want to hire room in Matidas Nagar. I said to hin that I am not doing the work of dealer. Then lady said from behind him that he may be asked that where as you right now. I had recognized that voice and it was that of Navjot Kaur and I said to that person that Navjot Kaur is talking behind you. Navjot Kaur got mobile phone from that person and said that she is Navjot Kaur and she will teach me a lesson today, because I have filed application against her. She also said that she know that right now you are at Chaba. However, I have disconnected the phone call. At that time, I was present at Dhaba alongwith my mother Sukhmander Kaur. After some time at 8:30 when the lights of dhaba was switched one, one brezza car came and stopped outside the dhaba. Three persons came out and who were armed with swords. One person out of then pointed towards me and said that he is Gurjit Singh who have filed complaint against Navjot Kaur. When the above said persons came near me, my mother Sukhmander Kaur cane ahead to save me. One person pushed my mother aside and said that today your son will be killed. When, I had tried to run away from the Dhaba, person given blow of sword with intention to kill me. It was hit at my head and I fell down. While I was fallen, the other person given blow of their swords at me. had raised my left arm ahead to save me and the blows were hit at my left arm. Then one person out of them had caught my arm and the other persons given many blows of swords at and Consequently, my arm was amputated and hanged down. Then my mother Sukhmander Kaur came ahead to save me and grabbed me. One person out of them tried to separate my mother from ne. When my mother did not went aside, they have given blow of sword at my mother and it was hit at her left arm. Then one person out of them given blow of nechha at my left shoulder. When I alongwith my mother clamor, the above said persons given threat that if you will cause harassment to Navjot

Kaur, you will have to face dire consequences. I have doubt that they were accompanied with two more persons who were sitting in the car. The reason behind the grudge is that because Navjot Kaur had not returned the amount and therefore I had filed application. Therefore Navjot Kaur has instigated unknown persons and got inflicted injuries to me. I can identify the above said persons and when they will be brought before me. Then I was got admitted in Civil Hospital Bathinda and the doctors had referred me to from there. Then I was admitted in Rellios Hospital Bathinda and there my left arm operated, I am getting treatment. Legal action may kindly be taken against them.”

5. As per allegations levelled in the FIR, the complainant sustained five injuries, one of which was opined to be grievous in nature, caused by a sharp-edged weapon. Pertinently, the injuries culminated in the amputation of the arm of the complainant, highlighting the sheer brutality of the assault.

6. It has emerged from the material on record that the petitioner is alleged to be the principal assailant and the incident is not an isolated act of spontaneous violence but rather appears to have been premeditated. The petitioner is purportedly the fiancé of co-accused Navjot Kaur, against whom the complainant had previously lodged a complaint. This prior complaint is stated to be the motive behind the targeted and vengeful nature of the present attack, which was allegedly executed at the instigation of said co-accused Navjot Kaur.

7. The belated nomination of the petitioner, no doubt is there, however, it cannot be viewed in isolation in the present factual matrix, particularly in light of the sustained and severe physical harm

caused to the complainant and the subsequent investigation by the police pointing towards the involvement of the petitioner. The delay in the supplementary statement, in this case, does not, in itself, dilute the *prima facie* material implicating the petitioner, especially when the complainant was grievously injured and undergoing treatment for a substantial duration.

8. In view of the seriousness of the offence, the gravity of injuries caused and the specific allegations attributing a direct and principal role to the petitioner in a seemingly calculated and vengeful attack, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner

9. The instant petition, therefore, stands dismissed.

10. 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.

May 6th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No