



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

228

CRM M-41282-2025

Date of Decision:06.08.2025

Jaskirat Singh @ Jassa

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sanjeev Kumar Arora, Advocate for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. Present second petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail pending trial to the petitioner in FIR No. 86 dated 08.07.2025 under Sections 333, 118(1), 115(2), 351(1), 191(3), 190 and 324(4) of the BNS, 2023 registered at Police Station Banur, District Patiala.

2. The FIR in the present case has been registered on the basis of the statement made by Surinder Kumar and the same has been reproduced below:-

“Statement of Surinder Kumar son of Shri Bhagwan Dass, resident of Village Gajju Khera, Police Station Banur, District Mohali, aged about 46 years, phone

number 9872608601, recorded by ASI Hardev Singh 436/Patiala was received in the Police Station through PHG Kulwant Singh 30108 against Ashu, resident of Abrawa and 5 unknown persons for the offences mentioned above. The contents of which are as under:-
Stated that I am resident of the above said address and I am running a medical store under the name of 'Sanjay Medical Store' at Village Gajju Khera. Dhiraj Kumar son of Om Parkash, resident of Gajju Khera and Jaspal Ram son of Sarup Chand of Village Kaloli are employed on my shop. Yesterday On 07.07.2025 at about 8.30 PM, two unknown persons came to my shop and asked for some prohibited/banned capsules from me and I told them that we do not sell any banned medicines. After 15 minutes, three boys again came to my shop and one of them identified himself as Ashu, resident of village Abrawa and Ashu asked me whether we wanted to give the medicine or not. I clearly told them that I do not possess any such medicine. They started quarreling with me and threatened me stating come outside, they will deal with him and they went away. Again at about 9.30 PM, Ashu, resident of Abrawa along with five unknown persons who had their faces covered with 'parnas' (a cloth), out of them, two boys were Sikhs and they were armed with kirpans and gandasies, entered in my shop and started giving blows with the kirpans and gandasies, Sikh boy who was armed with a kirpan gave a straight blow to Dhiraj Kumar, who raised his left hand to save himself and the kirpan blow hit on his left hand and when I tried to stop them, the said Sikh boy gave a kirpan blow on my neck which hit on my left shoulder.

Then Ashu gave a blow with his kirpan to me and I raised my left hand to save myself and the blow hit on my left wrist. They all continued to assault us with their weapons. They broke the window panes and the counter of the shop with their kirpans and also caused significant damage to the medicines inside the shop. On hearing our noise, the neighboring shopkeepers gathered and they ran away alongwith their respective weapons and while going they were threatening that today they have been saved they will see them again. We were covered in blood and the medicines in my shop were also scattered. The entire incident was captured on my cameras, which I will present to you. Due to our serious injuries, my elder brother Raj Kumar arranged a vehicle and admitted me and Dheeraj Kumar to Government A.P. Jain Hospital, Rajpura for treatment, where we are currently hospitalized. I have given my statement to you in the presence of Dheeraj Kumar, which has been read and heard and is correct. Legal action may be taken against the aforementioned persons. Sd/ Surinder Kumar Sd/- Dheeraj Kumar”.

3. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner was allegedly carrying a *Kirpan* and he caused an injury on the left hand of Dhiraj Kumar and left shoulder of Surinder, complainant. As per him, both the injuries have been declared to be simple in nature. Even, the injured have already discharged from the hospital in the present case and the custodial interrogation of the petitioner may not be required in the facts and circumstances of the present case

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

5. In the present case, admittedly, the injuries caused by the petitioner have been declared to be simple in nature and in the considered opinion of the Court, the custodial interrogation of the petitioner may not be required.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

06.08.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

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