



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CRM-M-42521-2024

Date of decision: 13.01.2025

PREM SINGH AND OTHERS

...PETITIONERS

V/s

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioners in case bearing FIR No.62 dated 30.07.2024, registered for the offences punishable under 115(2), 118(1), 333, 324(4), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 (BNS), at Police Station Khui Khera, District Fazilka.

2. On 30.08.2024, the following order was passed:-

*“Notice of motion for 13.01.2025.
To be heard along with CRM-M-42210-2024.
Interim directions in the same terms, as passed in CRM-M-42210-2024.”*

3. In CRM-M-42210-2024 on 29.08.2024, the following order was passed:-

*“The petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.62, dated 30.7.2024 at Police Station Khui Khera, District Fazilka, under Sections 115(2), 118(1), 333, 324(4), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 (BNS). The FIR was lodged at the instance of Parkash Kaur. The translated gist of the relevant extract from FIR is as under:
“On 28.07.2024 at about 8.15 am, when she along with her mother Hardevan Bai and on Navdeep Singh was present in the house,*



Baldev Singh @ Ghakku armed with 'kapa', Ranvijay Singh @ Vicky armed with 'kasia', Krishan Singh armed with 'dang', Jaswant Singh armed with 'dang', Harbans Singh armed with 'dang', Prem Singh armed with 'dasta', Ravinder Kaur @ Harmindo Kaur carrying a brick bat and Paramjit Kaur carrying a brick bat entered her house and Ravinder Kaur @ Harmindo Kaur raised a 'lalkara' and they should be teach a lesson for taking their daughter-in-law. Meanwhile, Baldev Singh @ Ghakku gave a 'kapa' blow and when she raised her left hand to save from that blow, 'kapa' hit her left little finger from its sharp side, which was chopped off and fell on the earth, then Ranvijay Singh @ Vicky gave a 'kasia' blow from its reverse side hitting left side of her stomach, then Krishan Singh gave a 'dang' blow hitting her right shoulder, Jaswant Singh gave a 'dang' blow hitting her left shoulder, then Harbans Singh gave a 'dang' blow hitting her right thigh, Prem Singh gave a 'dasta' blow hitting her back, Ravinder Kaur @ Harmindo Kaur and Paramjit Kaur kept on throwing brick bats towards their house, due to which, window pans of their house were broken. She fell on the ground and all the aforesaid assailants caused her injuries. Due to fear, her son ran away by climbing the wall, while her mother, being an extremely old lady, could not come forward for her help. The assailants broke the CCTV cameras installed in their house and some the CCTV cameras were taken over by the assailants with them."

Learned counsel for the petitioners submitted that both the parties are residents of the same village and on account of some petty quarrel, the instant FIR has been got lodged based on absolutely false allegations and wherein all the members of the family including ladies have been named therein falsely. It has further been submitted that, in any case, the petitioners both of whom are ladies are not attributed any grievous injury and are alleged to have thrown brick bats. It has been submitted that the petitioners have a clean record and are not involved in any other case.

Notice of motion for 13.1.2025.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C."

4. Learned State counsel, on instructions from ASI Ramesh Kumar, has stated that pursuant to the order dated 30.08.2024 the petitioners have joined investigation and are no longer required for custodial interrogation.



5. In view of above, the present petition is allowed and interim order dated 30.08.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

6. This order should not be treated as “blanket” order. It will not be read granting petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violate any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

January 13, 2025

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No