

2025.PHHC.042674



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

**CRM-M-17134-2025  
DECIDED ON: 28.03.2025**

**HARMAN SINGH**

**....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Maneesh Bali, Advocate  
for the petitioner.

**SANDEEP MOUDGIL, J (ORAL)**

**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 of Bharatiya Nagarik Suraksha Sanita, 2023 for grant of anticipatory bail to petitioner in FIR No. 45 dated 12.02.2025 (Annexure P-1) under Section 115(2), 118(1), 333, 324(4), 303(2), 351(3), 190, 191(3) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station City Kapurthala, District Kapurthala, Punjab.

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

*“Statement of Parmeet Singh Son of Parminder Singh Resident of New Ajit Nagar Chuharwal Chungi Police Station City Kapurthala Age About 30 Years Mobile Number 90418-88979 stated that I am resident of above mentioned address and I have*

*a shop of mobiles in front of old Tehsil. On 10-02-2025 at around 10:00 o'clock Harman alongwith his father Gurbhej Singh and Gurpreet Kaur wife of Gurbhej Singh Resident of New Ajit Nagar Chuharwal Chungi entered our house from roof side and they were beating our tenant Rajwant Kaur wife Surmukh Singh and her daughter Rubal inside our house. When we went to the roof of our house then they went away after the fight. Thereafter after hearing the hue and cry people of the locality gathered there. Harman and Gurbhej and his wife Gurpreet Kaur came to the ground floor of our house with datar and threatened us. On 11-02-2025 at around 5:00 o'clock we called one Weldor Tirath Singh to install iron gate at out roof top and he was installing the gate there, when Harman, his father Gurbhej Singh, Gurpreet Kaur, Inderjeet Singh, Daljeet Singh, Mandeep Singh @Kaku, France, Natin alongwith 5/7 unknown persons arem with stick and datar, and Gurbhej and harman used their hand held datar to give me blows which hit me on right side of my head, back side of my head on my lower back, on my right arm and others also gave me beatings and gave me life threats. When my sister-in-law (Bhabi) came to rescue me then they gave injuries to her also and in this scuffle dupatta and chain of my Bhabi Gurpreet Kaur fell on the ground which were taken by them. Then after hearing the hue and cry neighbours gathered their and we all came out of my house. Then all these people gave beatings to Sukhwinder Kaur wife of Sukhdev Singh resident of New Ajit nagar Kapurthala, Gurpreet Kaur wife of Arvinder Singh resident of New Ajit Nagar Kapurthala, Rubal Rani D/O Surmukh Singh resident of New Ajit nagar Kapurthala, Tirath Singh s/o Jagir Singh resident of Araf Wala Mohalla and they also damaged and broke glass of my car, parked outside there, with wooden sticks. While leaving from there they took dupatta and chain of my Bhabi and they gave me threats of life. Thereafter my father arranged the vehicle and took me to Civil Hospital Kapurthala for treatment where Doctor medically examined me. Legal action taken against them. You*

*reduced my statement into writing, heard its correct. Sd/- Paramjit Singh, Parmeet Singh Parminder Singh; Verified Harjeet Singh ASI Police Station City Kapurthala dated 12.02.2025”*

3. **Contention**

**On behalf of the petitioner**

It is asserted on behalf of the petitioner that he is a next door friend of the complainant and under certain unavoidable circumstances, the alleged altercation took place. He submits that as per the case of the prosecution, the injury attributed to the petitioner is on the right side of the head of the complainant with the datar, which has been declared as not dangerous to life.

It is also argued by learned counsel for the petitioner that CCTV footage has been placed on record to assert that the complainant party was the aggressor and whatever action attributed to the petitioner has occurred only in his self defence.

Notice of motion.

**On behalf of the State/complainant**

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He on instructions from Inspector Vikramjit Singh, SHO, Police Station City Kapurthala, fairly submits that though the nature of injury declared to be grievous as per the doctor's opinion in the medico legal report, but the same is not on the vital part of the body nor has been declared dangerous to life and weapon used is datar, which is yet to be recovered, therefore, the custodial interrogation of the petitioner is required for affecting the recovery of the same.

4. **Analysis**

Be that as it may, wherein the petitioner is ready and willing to join the investigation and also considering the fact that both the parties are close neighbours and Investigating Agency can extract necessary information including the alleged weapon used in the commissioning of the crime by the petitioner, once the petitioner joins the investigation and assisting the same so that the final report can be prepared within the stipulated time period and in that eventuality, this Court is of the opinion that no purpose would be served by sending him behind bars.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his 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 BNSS, 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.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**28.03.2025**

*Meenu*

*Whether speaking/reasoned*      *Yes/No*  
*Whether reportable*              *Yes/No*