



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

103

**CRM-M-20702-2025(O&M)
Date of Decision: 22.04.2025**

JOGA SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant 2nd petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks grant of anticipatory bail in case arising out of FIR No.04 dated 13.01.2025, registered under Sections 117(2), 3(5), 351(3) of Bharatiya Nyaya Sanhita, 2023 (Sections 333 and 118(2) added later on) at Police Station Khem Karan, District Tarn Taran.

2. The aforementioned FIR has been registered on the basis of a complaint lodged by the complainant Ranjit Singh alleging that on 17.12.2024, the petitioner along with his wife Jaspinder Kaur and some unknown persons had criminally trespassed into his house and had assaulted his family members and himself. His wife had sustained serious injuries. The petitioner had struck a blow with sword thereby injuring little finger of wife of the complainant.



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 27 days in lodging of the FIR. The injuries sustained by Rajwant Kaur, wife of the complainant are on non-vital parts of the body. In fact, his cousin brother Waryam Singh had borrowed a sum of Rs.10 lakhs from him and had gone abroad. He had given power of attorney to his mother. While going abroad, his mother had transferred the land owned by Waryam Singh in the name of her daughter Jaspinder Kaur i.e. wife of the petitioner. It was only in order to get back the same land that pressure has been exerted upon the petitioner and his wife and he has been falsely implicated in this case. His wife had been extended benefit of pre-arrest bail. On parity, he too deserves to be given same benefit. Accordingly, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel who has advance notice of the petition and is ready to argue the matter. It is submitted that there are serious and specific allegations against the petitioner who had struck a blow with sword thereby injuring little finger of the wife of the complainant. It is argued that keeping in view the gravity of the allegations levelled against him, he does not deserve to be given concession of bail.

6. I have heard learned counsel for both the parties and have gone through the record carefully.

7. The petitioner along with his wife is alleged to have opened an attack upon the complainant and his wife on 17.12.2024. He is alleged to have caused a grievous injury on the person of the wife of the complainant



by striking a blow with sword. Another grievous injury in the form of fracture of coccyx bone had also been sustained by the victim Rajwant Kaur. The petitioner has been booked for commission of offences punishable under Sections 117(2) and 118(2) besides other offences. The case is still at its nascent stage. It is well settled proposition of law that powers for grant of pre-arrest bail are to be exercised in extraordinary and exceptional circumstances whereas no such circumstance has been made out in this case in favour of the petitioner. His case cannot be stated to be at parity with the case of co-accused since the grievous injuries has not been attributed to her. Keeping in view the discussion made above, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

22.04.2025

Deepak Patwal

(MANISHA BATRA)
JUDGE

- | | |
|-------------------------------------|---------------|
| 1. <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable</i> | <i>Yes/No</i> |