



CRM-M-57439-2024

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

CRM-M-57439-2024

Date of Decision:- 02.05.2025

DALJIT KUMAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sahil Siddharth Jain, Advocate
for Mr. Chahit Bansal, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.213 dated 02.08.2024 under Sections 333, 115 (2), 118, 3 (5), 76 and 351 (2) Bharatiya Nagarik Suraksha Sanhita, 2023 registered at Police Station Phillaur, Jalandhar.
2. As per facts of the case, complainant Gagandeep Mander gave his statement that he is auto rickshaw driver by profession. On 29.07.2024, he was going to his home and when he reached in front of Satnam's house many motorcycles were parked there. While he was passing house of Kohinoor @ Sabi, his auto rickshaw hit against one of the motorcycle. He stopped his auto rickshaw and put the motorcycle on stand. On this Kohinoor @ Sabi raised lalkara and out of fear he entered his own house.



He followed him holding *datar* and gave blows which hit on the back side of head. Kamalpreet @ Billa gave dang blow which hit on his left bicep, left shoulder, right hand and right thigh. Aman also entered in his house armed with danda and gave blow on his right leg, right waist and left leg. He raised alarm for help. His father Joga Singh reached there. Jeet gave beating to his father by giving *datar* blow on his right elbow from reverse side. He gave another blow with *datar* on the head of his father. His mother Manjeet Kaur also reached there who was given several danda blows by Sushil Kumar. Kohinoor @ Sabi outraged modesty of his younger sister 'S'. To save himself he entered the house of Harbhajandas where again Ajay Kumar, Sheelu, Gopi along with other boys followed him and gave him beating. They also damaged his house. Thereafter, all the assailants left the spot raising lalkaras.

3. Learned counsel for petitioner argued that he is not named in the FIR. There is delay of 4 days in lodging the report. Version put forward by complainant is highly improbable. Other co-accused Kohinoor Singh, Sandeep Singh @ Deepa, Kamalpreet Singh and Lakhveer Singh @ Lucky were granted bail by the Sessions Court, Jalandhar. Copies of orders are annexed as Annexures P-2 to P-5. Petitioner has already joined investigation and has fully cooperated. Therefore, he may be granted concession of anticipatory bail.

4. Status report filed. It is pointed out that during investigation the person named Jeet in the FIR is actually the present petitioner Daljeet Kumar who was attributed *datar* blow. It is confirmed that petitioner joined investigation on 02.02.2025. Alleged weapon of offence has been recovered.



Copy of recovery memo is Annexure R-1. Petitioner is not required for further investigation.

5. Considering the aforesaid factual position, it is clarified in the status report, that present petitioner Daljeet Kumar was referred as Jeet who is attributed specific role. At present petitioner has joined the investigation and the said *datar* has been recovered vide recovery memo Annexure R-1. No purpose would be served by sending the petitioner behind the bars. Therefore, interim bail already granted in favour of petitioner vide order dated 19.11.2024 stands confirmed subject to the conditions envisaged under Section 482 (2) Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Petition is, accordingly, allowed.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

02.05.2025

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