



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103

CRM-M-20296-2025
DATE OF DECISION: 21.04.2025

JASVIR SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amandeep Saini, Advocate for the petitioner(s).

Mr. Jastej Singh, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. **Prayer**

This petition has been filed under Section 482 of BNSS for grant of anticipatory bail in FIR no. 65 (Annexure-P/1) dated 05.08.2024 registered under Sections 115(2), 118, 351(2), 121, 122 of BNS 2023 registered at Police Station Nurpurbedi, District Rupnagar.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘Copy of Report "it is recorded in Rapat No. 37 Dated 18.07.2024 Rojnamcha Police Station Nurpur Bedi" time 09.05 PM that at this time PHG Raj Kumar came present in Police Station and presented before me a statement of Kaushalya wife



of Gurmeet Singh resident of village Kheri Police Station Nurpur Bedi District Rupnagar, which is as under, "Statement of Kaushalya W/o Gurmeet Singh resident of village Kheri PS NPB, aged 55 years mob-88476-02441, that I am a resident of the said address and doing household works. Yesterday on 17.07.2024 the team of health department came to visit the spot in our village, at around 10.30 AM I along with my son Nirmal Singh, Husband Gurmeet Singh, Mohanlal S/o Sham Lal, Rippi W/o Mohan Lal, Manjit Singh husband of Daljit Kaur Sarpanch, Telu Ram S/o Karam Chand, Savinder Chand S/o Karam Chand, Kishan Chand S/o Karam Chand, Pammi Foji S/o Suvitar Chand, Usha Rani W/o Tarsem Lal, Sahajpreet Singh S/o Subhash Chand, Sham Lal S/o Sundar Das, Gurmeet Kaur W/o Sham Lal were present, where other party Gurmail Singh S/o Harbans Lal, Gurpreet Singh S/o Gurmail Singh, Sunny S/o Charan Das, Laddu S/o Charan Das, Hushan Chand S/o Jagan Nath, Jasveer S/o Jagan Nath, Ashok Kumar S/o Baldev Raj, Ratan Chand S/o Harbans Lal, Sita S/o Buddha Ram, Santokh Singh S/o Harbans Lal, and one other boy who is from Amarpur Bela. CMO said that water will not be pour here, here upon this the quarrel started and arguments were started between us and other party and the health department went to house the of the sarpanch. Jasveer Singh S/o Jagan Nath, Hushan Chand S/o Jagan Nath, Sunny S/o Charan Das, Laddu S/o Charan Das and the boy from AmarPur Bella Gurpreet Singh S/o Gurmel Singh, Sita S/o Buddh Ram slpas my sister-in-law Gurmeet Kaur and me along with my husband Gurmeet Singh, my brother-in-law and his son Mohanlal. Jasvir singh gave beatings to my uncle Gurmeet Singh and Rippy was punched by everyone and at the same time, the boy Sahajpreet S/o Subhash Chand was present in spot who started taking photos on spot with his phone and the boy from the other party Gurpreet Singh and started making video and photography using his phone, this photography has been done officer of on the instance of health department.



During this, Sahajpreet's phone was lost. Then we came to know that the phone is at Sarpanch's house and the other party also went there. Then Sahajpreet also went to Sarpanch's house to get the phone, to which Manjit Singh, husband of Sarpanch, did not give him the phone. Thereafter, when he again went to get his phone, then Hukam Chand S/o Jagan Nath who was present there gave Kuhada blow on the head of Sehajpreet. Gurpreet Singh, a boy From Amarpur bela, Jasvir singh, gurmail singh, Harbans Lal were present there who got caught Sehajpreet Singh who was bleeding, and they ran away from spot. Me and Gurmeet Kaur W/o and Lal Sham village boy Sahajpreet were brought by Subhash Chand S/o Karam Chand resident of village Kheri to CHC/NPB for treatment, Where we are under treatment, and the reason behind this is that all the water of the village collects and comes here, and want to put it forcibly in the Panchayat land. We protested and they gave beating to us. In this manner I got injured on my right leg, right shoulder and my sister-in-law Gurmeet Kaur's left shoulder and back were injured and Sahajpreet Singh was injured in the back of his head, right eye and lips and right leg ankle and neck. We are having threat from them. Action should be taken. RTI/ Koshalya W/o Gurmeet Singh Vill. Kheri 18.07.2024.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR which has been registered after an unexplained delay of 18 days. He submits that the petitioner has been nominated in the present case only because of political rivalry in the village, more so, a cross case has also been registered against the complainant party. He further submits that no



injury has been attributed to the present petitioner and a return complaint has also been given by the Sarpanch against the complainant party. He has argued that nothing is to be recovered from the present petitioner.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that there are serious allegations levelled against the present petitioner stating that he along with other accused had caught hold Sehajpreet Singh wherein he suffered injuries, therefore, prays for dismissal of the present petition.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, particularly to the effect that a cross case has also been registered against the complaint party, moreso, no specific injury has been attributed to the present petitioner and nothing is to be recovered from the present petitioner. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.



5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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 one week, the order passed by this Court today shall automatically stand cancelled.



The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

21.04.2025
anuradha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No