

2025:PHHC:071555



106.

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

CRM-M-29011-2025

Date of decision: 26.05.2025

Harmanpreet Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manbir Singh Basra, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 482 of BNSS, 2023, is for grant of anticipatory bail to the petitioner in case FIR No.51, dated 10.04.2025, under Sections 115(2), 118(1), 3(5) of BNS (Section 118(2) of BNS added lateron), registered at Police Station Ghuman, Police District Batala, District Gurdaspur.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, and the allegations made against him are baseless and do not, even prima facie, disclose the commission of an offence under Section 118 of BNS. It is contended that the injury allegedly attributed to the petitioner is simple in nature. Learned counsel further submits that no recovery is to be effected from the petitioner and, therefore, his custodial interrogation is neither necessary nor justified.

3. On being put to notice, Mr. H.S.Deol, Senior DAG, Punjab, has put in appearance on behalf of respondent-State. Mr. Vipin Mahajan, Advocate, has also entered appearance on behalf of complainant and filed memo of appearance in Court today, which is taken on record. It is submitted the FIR specifically contains allegations against the petitioner, who inflicted multiple *kirpan* blows on the wrist of the injured complainant, the injury, it is asserted by the learned State counsel, on instructions, is not only serious but was grievous in nature and has also been inflicted on the wrist of the complainant which is a vital part of a person's body. It is further pointed out that the petitioner is a man of criminal antecedents as it is a matter of record that he is already booked in criminal cases for offences under Sections 307 and 326 of the IPC; he was on bail when he yet again participated in the instant crime.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The allegations against the petitioner are grave and specific in nature. A perusal of the FIR discloses that the petitioner allegedly inflicted repeated *kirpan* blows upon the complainant, which prima facie points to a deliberate and premeditated act rather than a sudden or provoked assault.

6. Further, the nature and location of the injury, that is, on the wrist, which is a sensitive and functionally vital part of the body, underscores the severity of the act. The fact that the petitioner has previously been involved in a criminal case under Section 307 IPC cannot be overlooked.

7. In view of the serious and specific nature of the allegations, the antecedents of the petitioner and the overall factual matrix, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

8. Accordingly, the present petition is dismissed.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 26, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No