

2025.PHHC:073421



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30425-2025
DECIDED ON: 28.05.2025

KULJIT SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court under Section 482 of BNSS, 2023, has been invoked seeking anticipatory bail to the petitioner in case FIR No. 92, dated 30.04.2025, under Sections 109, 333, 115(2), 190, 191(3) of BNS, 2023, registered at Police Station Dhuri, District Sangrur.

2. Facts

Facts as narrated in the FIR reads as under:-

“Statement of Sukhchain Singh, son of Kulwinder Singh, resident of village Isra, Police Station Sadar Dhuri, aged about 21 years, mobile number 987735704, stated that I am resident of the above-mentioned address and a student of B.A. third year. My grandfather is an elderly man and takes medication regularly. On the date 28.04.2025, my grandfather Hemraj Singh was harassed by our neighbor Iqbal Singh son of Kuljeet Singh, resident of Isra. My grandfather objected to Iqbal Singh's inappropriate behavior. In response, my grandfather

threw stick. Just then, Jagdeep Singh alias Kaka son of Baldev Singh, Balkar Singh son of Jagdeep Singh, Ars son of Kulwant Singh, Kuljeet alias Keeta son of Baldev Singh, and Iqbal Singh son of Kuljeet Singh came out of their houses and started verbally abusing. At that time, it was around 5/5:30 PM. I took my grandfather inside our house from street and shut the gate. The above-mentioned persons began to push and hit our gate. Since it was closed, they eventually returned to their houses. Later, around 6:00 PM, my father Kulwinder Singh returned home from his daily labor. When we opened the gate, Jagdeep Singh son of Baldev Singh who was having iron Dah in his hand, Balkar Singh having stick, Aras son of Kulwant Singh having stick, Kuljit Singh @ Keeta having stick in his hands and on coming Jagdeep Singh @ Kaka attacked me with the intent to kill me with iron Dah directly on my head. I tried to defend myself, then he struck me again, this time on the left side of my head. Then Balkar Singh hit me on the back of my head with a stick. After that, Kuljeet Singh alias Keeta struck my father Kulwinder Singh on the head with his stick. Then Iqbal Singh, son of Kuljeet Singh, picked up a stick and entered our house. Then, Iqbal Singh struck my father with a stick, which hit his right shoulder. After that, my brother Gagandeep Singh and my mother Krishna ran forward to rescue us. At that moment, Aras's mother and Charanjit Kaur, wife of Kuljeet Singh, also entered our house. Both of them grabbed my mother by her hair. Then Aras, son of Kulwant Singh, struck my brother on the head with a stick. After that, Kuljeet Singh hit my mother on the head with a stick. Aras's mother and Charanjit Kaur then picked up tong (Chimta) and a fire blower (Fookni) (used for stoking fires) from our house and struck my mother, hitting her left arm. Then Iqbal Singh again hit me with a stick, this time behind my right ear. Kuljeet Singh also struck me with a stick, hitting the left side of my nose. I fell unconscious and collapsed on the ground. My brother Gagandeep Singh was also badly beaten. We raised an alarm, shouting for help. Upon hearing the noise, local people gathered, and then all the accused fled the scene along with their weapons. Later, my uncle Sawanpreet Singh came from Malerkotla and took us in his car to Civil Hospital Dhuri for medical treatment. After receiving first aid at Civil Hospital Dhuri, I was referred to Civil Hospital Sangrur. The next day, i.e., on 29.04.2025, my father, mother, and brother were also referred to Civil Hospital Sangrur, and all four of us are currently under treatment there. Today I am giving this statement to you, which has been read back to me and is correct. Proper legal action should be taken against the

mentioned accused persons. The reason for the grudge is that my grandfather Hemraj, who is elderly and takes psychiatric medication, is often verbally abused by the accused, which led to them attacking us and causing these injuries. This statement has been given in the presence of my parents and brother.”

3. Contentions:

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He has argued that the petitioners were armed with stick and injuries attributed to them have been declared simple in nature. He submits that the case of the petitioners is on better footings than that of their co-accused namely Iqbal Singh, who has already been granted the concession of regular bail by this Court vide order dated 26.05.2025 passed in CRM-M-29103-2025.

Notice of motion.

At this stage, Mr. H.P. Singh, Advocate has put in appearance on behalf of the complainant and filed his Power of Attorney, which is taken on record.

On behalf of the State

At the asking of this Court, Mr. J.S. Rattu, DAG, Punjab appearing on advance notice accepts the same on behalf of respondent-State of Punjab. He prays for dismissal of the present petition stating that though the injuries attributed to the petitioners are simple in nature but there is specific allegation against them. He submits that custodial interrogation of the petitioners are necessary to take the investigation to its logical end and also to recover the weapon used in commissioning of offence.

4. **Analysis**

Be that as it may considering the fact that the case of the petitioners is on better footings as the injuries attributed to the present petitioners are simple in nature whereas the injuries attributed to the co-accused namely Iqbal Singh are grievous in nature, this Court deems it a fit case to exercise its discretion under Section 482(2) of BNSS, 2023.

5. **Relief**

In the light of above, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioners are not required as it would be of no fruitful purpose to put the petitioners behind the bars. The petitioners 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 petitioners do not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

28.05.2025

Meenu/Sham

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No