

2025:PHHC:076450



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

**CRM-M-32904-2025
DECIDED ON: 20.06.2025**

AVTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. D.S. Sekhon, Advocate and
Mr. Himanshu Rajput, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.004 dated 11.01.2025 under sections 118(1), 115(2), 191(3), 190 of BNS, 2023, offence under section 118(2) of BNS 2023 added lateron, registered at Police Station Kalanaur Gurdaspur, Punjab.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Sarabjit Kaur W/o Dalip Singh, R/o Dehriwal Kiran, aged 44 years, M.No. 8872320716, stated that I am a resident of the above-mentioned address and I am a household woman. That on 22.12.2024, at around 2:30 PM, I and my brother-in-law (Dewar/Dior) Dhanna Singh S/o Bawa Singh, R/o Dehriwal Kiran,

were going back from our barn (Haveli) to our house. As we reached some distance from our barn, Amarjot Singh S/o Satnam Singh, Tandeep Singh S/o Kamaljeet Singh, Avtar Singh S/o Bittu, all three handed with sickle (dattar), Darsna Devi W/o Bittu R/o of Dehriwal Kiran, who was empty-handed, Ashu S/o Bittu R/o Kot Miya Sahib holding a spade handle (kahi da dasta) were already standing on the road. Darsna Devi raised a lalkara, "capture them as firstly they used to abuse us", at this point Tandeep Singh struck me with a sickle which hit right above my right hand. Ashu attacked me and hit me with a spade handle on my lower back. As Dhanna Singh, my brother-in-law, came forward to save me, Amarjot Singh gave a sickle blow to him, which hit the right side of his head. Avtar Singh attacked my brother-in-law with the inverted side of a sickle, which hit over the right arm. As we raised a hue and cry, the above-mentioned accused ran away with their weapons. After arranging the vehicle, Pavitarjot Singh S/o Charanjeet Singh R/o Dehriwal Kiran, took us to CHC, Kalanaur, where the Doctor admitted us, after providing us with basic medical attention, MLR was provided, and for further, I was referred to Civil Hospital Gurdaspur, and my brother-in-law was referred to Amritsar Hospital, as we are under treatment, and the reason behind this accident is that there use to be sprawl brawl between us and talks regarding settlements were going on in past but never agreed upon. I have recorded my statements, needed legal action needs to be taken."

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that there is an unexplained delay of 18 days in the registration of the FIR, as the alleged incident occurred on 22.12.2024, whereas the FIR was lodged only on 11.01.2025. It is further submitted that the only role attributed to the petitioner is that he allegedly inflicted a blow with the inverted side of a sickle (dattar) on the right arm of the complainant, Dhanna Singh. As per the medical report, the said injury has been opined to be simple in

nature. Learned counsel also draws the attention of this Court to the order dated 21.05.2025 passed in CRM-M-17370-2025, whereby co-accused Jaspreet Singh @ Ashu has already been granted the relief of anticipatory bail. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab, accepts notice on behalf of respondent/State. He does not controvert the submissions made by learned counsel for the petitioner rather candidly submits that the injury attributed to the petitioner is declared as simple in nature.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that admittedly the injury attributed to the petitioner is declared as simple in nature added with the fact that the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner 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 petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

20.06.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*