

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

**CRM-M-55716-2024
Reserved on: 08.07.2025
Pronounced on: 31.07.2025**

BALJINDER SINGH @ THULA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.K.S.Phoolka, Advocate for the petitioner.

Mr. Akshay Kumar, Asst. AG, Punjab.

Mr. A.S. Brar, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
131	01.10.2023	Cantt. Bathinda, District Bathinda	307/325/324/506/148/ 149/201 IPC

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 11 of the bail petition and the status report, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

*“On 01.10.2023, the complainant recorded his statement that on 29.09.2023, his elder brother Jasveer Singh (victim) came home during evening time from his labour work and after having meal, Jasveer Singh (victim) went to their agricultural fields. At about 8:45 PM, the complainant was walking on service lane, Bathinda-Barnala Highway, then the complainant saw that there was gathering of people and noise near the Govt. School. The complainant found that his brother Jasveer Singh was on the spot and the accused Jashandeep Singh @ Pochi and accused-petitioner Baljinder Singh @ Thula and 4/5 unknown persons were also there having armed with Kirpans and Datar and were raising lalkara that today do not spare Jasveer (victim) and end his life. **The accused-petitioner gave blow of his Kirpan on the left side of the face of Jasveer Singh (victim).** The accused Jashandeep Singh @ Pochi gave a blow of his Kuhara (axe) on the middle of the head of Jasveer Singh (victim). Due to attack, Jasveer Singh (victim) fell down on the earth. The complainant*

raised hue and cry. The 4/5 unknown persons also gave blows of Kirpans and Datar to Jasveer Singh (victim) while he was laid down, which hit on the back side of head of Jasveer Singh (victim). The complainant again raised hue and cry, upon which the accused-petitioner and the co-accused ran away from the spot along with their respective weapons while giving threats.”

4. Counsel for the petitioner submits that petitioner has been falsely implicated and petitioner has been attributed role only gave kirpan blows upon the complainant. The petitioner's counsel prays for bail by imposing any stringent conditions including surrender of fire arms, if any. In case, he repeats the offence or commit any offence where sentence prescribed is more than 07 years, he would have no objection, if State files an application for cancellation of bail. He further contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State as well as counsel for the complainant oppose bail and refers to following paras of the status report, which read as follows:

“VICTIM’S CURRENT MEDICAL CONDITION:

*11. That as per the information received from the victim’s wife, the victim is still getting treatment from the DMC, Ludhiana, due to suffering serious injuries on his head. The victim is unable to talk and listen to the conversation properly. The statement of Mandeep Kaur wife of victim Jasveer Singh is annexed herewith as **Annexure R-2** and the English translated copy of the same is **Annexure R-2/A**.*

THE ROLE OF THE PETITIONER: *14. During the investigation, it has surfaced that the accused-petitioner in connivance with co-accused had beaten up the victim Jasveer Singh. The accused-petitioner gave blow of his kirpan on the left side of face of victim Jasveer Singh. The accused-petitioner disposed of the weapon kirpan used by him at the time of occurrence with intent to destroy the evidence. On the basis of which, Section 201 IPC was enhanced vide DDR No.24 dated 01.05.2024.”*

REASONING:

6. Injuries suffered by the victim corroborated with the medical evidence. The petitioner was named as main assailant in the FIR and was attributed blows by Kirpan. One of the injuries inflicted by petitioner on the person of victim due to which he is unable to talk or listen. Thus, on face of it, the petitioner and other accused acted with extreme cruelty and inflicted injuries on vital parts of the body.

7. A perusal of the bail petition and the documents attached prima facie points towards the petitioner’s involvement and does not make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from

doing so.

8. The petitioner's custody of around is more than 01 and a half years cannot be termed prolonged, given the minimum sentence prescribed for the offense.

9. Regarding the delay in the trial, if the trial does not conclude within three year of the petitioner's custody, and the delay is not attributable to the petitioner, the petitioner may apply for bail before the trial Court. The Court shall not be influenced by the dismissal of bail on merits or by the criminal history and shall decide it on changed circumstances and the prolonged trial.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. Petition dismissed. All pending applications, if any, are disposed of.

**(ANOOP CHITKARA)
JUDGE**

31.07.2025

renubala

Whether speaking/reasoned: Yes

Whether reportable: No.