

Cattle Feed Company. I look after the entire work of the company of District Mansa. We are 4 brothers and sisters and are married. We both the brothers live in same house along with the family. There is a vacant plot adjacent to our house which is common with our 'Shreeka'. Apart from our share in the plot, Pargat Singh son of Ajaib Singh and Gurdial Singh son of Hakam Singh also live in our 'Sareeka', who have also a share in it. On dated 19.06.25, time would be about 4.00 pm. I and my brother Gurwinder Singh were present at our house along with the family, then Pargat Singh without talking to us, got the trolleys filled with earth dropped in the main street and nearby and the water of sewerage which had over-flown, by and by started entering in the vacant plot. Then we also got trolleys dropped in our share of the plot. In the meantime. Pargat Singh along with his brother Jaswinder Singh @ Mungi, two unidentified persons who had held in their hands big sticks (Daang), Gandasa and sword, came in the street and Pargat Singh giving challenge (Lalkara) said, we will teach you a lesson for throwing earth in the plot. Then looking at Pargat Singh etc. gathered there along with weapons, we both the brothers scaring from the indulging in quarrel etc. came to the street passing through plot. in front of our house. Listening to our shouting there, my wife Sukhwinder Singh and my wife of my brother Jaspreet Kaur and my mother Angez Kaur also came out of the house and women from Pargat Singh side, Baljinder Kaur wife of Pargat Singh, Jaspreet Kaur wife of late Malkit Singh, Jasmel Kaur also came in the street near our house and they started making noise loudly. Then Pargat Singh, with the sword held in his hand, attacked towards me, I, for my protection, raised ahead my left arm, the sword hit at my left Daula (arm part below shoulder) and Jaswinder Singh attacked on me with the Gandasa held in his hand which hit on my face below my right eye and I then fell down and while I was lying fallen down, the two unidentified persons with the big sticks (Daang) held in their hands hit at my back and on thighs.

My brother Gurwinder Singh and his wife began to save me, the above said Baljinder Kaur wife of Pargat Singh, Jasmel Kaur mother of Pargat Singh and Jaspreet Kaur wife of Malkit Singh dragged my brother's wife Jaspreet Kaur and hit her with legs and gave blows. We shouted loudly, bachao, bachao, and entered out house. Then Pargat Singh and his accomplices also entered our house and started picking up quarrel in our house also and looking the gathering there near our house, all of them fled from the spot along with their weapons. Then my family got me and wife of my brother Jaspreet Kaur admitted in Government hospital for treatment, where I am undergoing treatment and the Doctor has referred my sister in law Jaspreet Kaur to the Higher Centre for her treatment and her treatment is being done in AIIMS Bathinda. The reason for the enmity is that there is our dispute with Pargat Singh etc. with regard to the plot, due to which Pargat Singh in collusion with his accomplices have inflicted injuries on our person. Statement has been got recorded to you, has been listened to and is accepted as correct. Sd/- Complainant.”

3. Learned counsel for the petitioner has vehemently argued that both the parties are closely related to each other and the fight had taken place over a trivial issue. She further contends that in the present case, both the sides had suffered injuries. Pargat Singh and Jasmail Kaur had suffered injuries on the side of the petitioner, whereas, Rajwinder Singh and Jaspreet Kaur had suffered injuries on the side of the complainant. She further contends that even it has been alleged that the petitioner was allegedly armed with a *gandasa* and gave a blow on the right side of the face of the complainant. However, the said injury has been declared to be simple in nature. She further contends that the question of aggressor is yet to be adjudicated by the trial Court. Moreover, co-accused Pargat Singh has already been granted the concession of regular bail by the

Court of Chief Judicial Magistrate, Mansa, vide order dated 08.07.2025

(Annexure P-6). Thus, custodial interrogation of the petitioner may not be required, at this stage.

4. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Mansa, District Mansa has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that the petitioner is a first offender and the parties are closely related to each other.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, the injury, which is attributed to the petitioner, has been declared to be simple in nature. It has also been found that the injury was caused by some blunt weapon, whereas, it has been mentioned that the petitioner was carrying a *gandasa*. Thus, in the considered opinion of the Court, the custodial interrogation of the petitioner may not be required.

7. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(N.S.SHEKHAWAT)
JUDGE

04.08.2025

hemlata

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No