



227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33046-2025

DECIDED ON: 03.07.2025

ANKIT VERMA

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL.

Present: Mr. Inderpreet Singh, Advocate
for the petitioner

Mr. J.S.Rattu, DAG Punjab

SANDEEP MOUDGIL, J

Relief

(1). The jurisdiction of this Court under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) has been invoked for grant of regular
bail to the petitioner in case FIR No.79 dated 31.07.2024 under Sections
115(2)/126(2)/351(2)/351(3)/3(5)/238 BNS (Section 109 BNS added later on),
registered at Police Station Basti Jodhewal, District Ludhiana.

Facts

(2). Facts as emerging in the FIR is reproduced as under:-

*“Statement of Naveen Kumar son of Balwant Singh, resident of
House No. 444, Street No. 2, Lajpat Nagar, Noorwala Road,
Police Station Basti Jodhewal, Ludhiana, aged approximately 34
years, Mobile No. 98158-07163. He stated that he resides at the
above-mentioned address and works at Sharda Factory, Lajpat
Nagar, Ludhiana. On 27-07-2024 at around 10:00 PM, while he
was feeding a stray dog outside his house in the street, their
neighbour Piyush Verma hit the dog with his motorcycle. When he*

stopped Piyush from doing so, a verbal altercation and exchange of abusive language ensued. Respectable persons of the locality intervened and pacified both parties, after which they returned to their respective homes. On 28-07-2024, at around 10:00 AM, his brother Praveen Kumar had gone to the market to purchase household groceries. At that time, our neighbors Ankit Verma, Piyush Verma, Rajan Verma, along with 2-3 other unidentified individuals, forcefully entered my house. Ankit Verma, who was holding a sharp-edged weapon, struck me on the head. As I turned to look to the other side, Piyush Verma attacked the left side of my head with a sword he was holding. My vision went dark, and aforementioned individuals dragged me into the street and continued to physically assault me. Just then, my brother Praveen Kumar returned home from the market. The said individuals also assaulted and abused him verbally. During this scuffle, my gold chain weighing approximately one and a half tolas and a sum of Rs. 4,800/- were lost. Other residents of the neighborhood arrived at the scene, and upon their arrival, the accused persons shouted threats and fled from the spot. Our neighbor Ajay Verma, with the help of his private vehicle, took both me and my brother to Civil Hospital, Ludhiana, where the doctor provided us with first aid and prepared our Medico-Legal Reports (MLRS). Due to worsening of my medical condition, my relatives later shifted me to CMC Hospital, where I am currently undergoing treatment. The statement has been recorded in the presence of my brother, Praveen Kumar, and is true and accurate. I, Naveen, hereby sign this statement, it is attested by Parveen and verified by Harnek Singh, ASI No. 2276, Police Station Basti Jodhewal, Ludhiana, dated 31-07-2024. During the police action today, I along with Constable Gurpreet Singh No. 3280 and PHG Bharat Bhushan No. 29266 was present Shivpuri Chowk, Ludhiana, during patrol and checking related to suspicious persons traveling in private vehicle. I, Naveen Kumar, appeared and submitted my written statement, which was read aloud to me, explained, and after I confirmed its correctness...”

Submissions

On behalf of the petitioner

- (3). Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He further contends

that there is an unexplained delay of three days in lodging the present FIR, as the incident took place on 28.07.2024 and the present FIR stands registered on 31.07.2024 at 22.55 hrs. It is submitted on behalf of the petitioner that the complainant was neither admitted to Civil Hospital, Ludhiana nor to CMC, Hospital Ludhiana for any extended period, having voluntarily refused admission and treatment, which clearly demonstrate that the injuries were not of serious nature. It is argued that as per the allegation the incident took place inside the house but according to the site plan prepared by the investigating agency, the incident took place in the street i.e. outside the house.

On behalf of respondent-State

(4). Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the same, the petitioner has suffered incarceration for a period of 3 months and 19 days, as of now. He prays for dismissal of the present petition stating that the role attributed to the present petitioner is that he gave a *datar* blow at the head of the complainant which is a vital part of the body.

Analysis

(5). Heard learned counsel for the parties.

(6). As per the case put forth by the prosecution, there are specific and direct allegations against the petitioner, accusing him of inflicting injuries on the complainant by assaulting him on the head with a *datar*, a grave and serious act. Notably, the petitioner, along with his co-accused, is implicated in a heinous offense involving a brutal attack. The medico-legal report (MLR) of the injured complainant corroborates the commission of a serious crime,

documenting a total of seven injuries, including two critical ones to the head, an essential and vulnerable part of the human body.

(7). Furthermore, the challan has been submitted on 09.05.2025, and the prosecution has listed 20 witnesses. Charges are yet to be framed, and the complainant has not yet been examined. Given this stage of the proceedings, there exists a credible apprehension that the petitioner may interfere with the process of investigation or influence witnesses.

(8). In view of the serious and specific allegations against the petitioner, and considering the nature of the offense and the stage of the trial, this Court finds no justifiable ground to grant the concession of regular bail to the petitioner at this juncture

(9). Accordingly, this petition is dismissed.

(10). Nothing stated herein shall be taken as an expression of opinion on merits of the case before the trial court.

03.07.2025
sham

(SANDEEP MOUDGIL)
JUDGE

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