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

CRM-M-3559-2025

Date of Decision:-17.02.2025

STIFEN ALIAS TEENU

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sumit Dua, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharitiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner is praying for anticipatory bail in the following FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
90	27.08.2024	126(2), 115(2), 118(1), 351(2), 191(3), 190, 61(2) of the BNS	Division No.4, Jalandhar

2. Argument heard.

3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been implicated in the instant case and no specific overt act is attributed to the petitioner. He contends that there is also discrepancy of the alleged weapon used by the petitioner as it is alleged to be datar while during investigation it has been stated to be kirpan which create doubt regarding genuineness of the version. He submits that petitioner



is ready to join investigation, hence prayed for grant of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply submitted by the State has strongly assailed these arguments by submitting that there are specific allegations against the petitioner of having caused multiple injuries on the person of the complainant with the help of sharp edged weapon which was found to be grievous in nature. He contends that there is specific attribution to the petitioner of having caused 4 injuries on the person of the complainant, all with sharp edged weapon and 1 of the same has been found to be grievous in nature. It is alleged that the complainant sustained as many as 9 injuries in the occurrence out of which 2 injuries were found to be grievous in nature caused with sharp edged weapon. He submits that entire occurrence has been captured in the CCTV footage wherein the petitioner is seen actively involved in the occurrence and his custodial interrogation is required to recover the weapon used in the occurrence, hence prayed for dismissal of the bail petition.

5. After considering the arguments and perusing the record, it is observed that the instant FIR was registered on the statement of the complainant to the effect that on 26.08.2024 at about 3:00 pm, while he was coming back to his home, then on the way 3 persons including the petitioner attacked him with deadly weapons. They caused multiple injuries with datar on different parts of his body with an intent to kill. On the alarm being raised by him, the assailants ran away from the spot and injured was shifted to the hospital.

6. During course of investigation, police had obtained CCTV



footage of the area wherein the petitioner was identified and seen actively involved in the commission of the crime, while armed with Kirpan and had given injuries on the right leg of the complainant besides causing injuries on his finger, left arm and on head. The injury on the right leg with sharp edged weapon was declared to be grievous in nature. In these, circumstances, it is observed that custodial interrogation of the petitioner is required to recover the weapon used in the offence, therefore, no case is made out in favour of the petitioner for grant of bail in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

17.02.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No