



217/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision:04.08.2025

(i) CRM-M-39227-2025

Dalawar alias Jandu ...Petitioner

vs.

State of Punjab ...Respondent

(ii) CRM-M-39478-2025

Jagdeep Singh alias Bablu ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Shahid Anwer Chaudhary, Advocate
for the petitioner (in both petitions).

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J.(oral)

1. This order shall dispose off above-said two petitions i.e. CRM-M-39227-2025, titled as Dalawar alias Jandu Vs. State of Punjab and CRM-M-39478-2025 titled as Jagdeep Singh alias Bablu Vs. State of Punjab, whereby the petitioners have prayed for grant of anticipatory bail to them in case FIR No.36 dated 23.02.2025 registered under Sections 109(1), 333, 115(2), 126(2), 351(3), 190, 191(3) of BNS, (117(2) of BNS added later on), at Police Station Amargarh, District Malerkotla.

2. The FIR in the present case was registered on the basis of the statement made by Harpreet Singh son of Dalbara Singh and the same has been reproduced below:-

“Statement of Harpreet Singh S/o Dalbara Singh R/o Bagrian Police Station Amargarh aged about 40 years Mobile No. 78885-41347 stated that I am resident of above said address and



working as farmer. Yesterday 22.02.2025 at about 06:15Pm I was sitting in the shop of Balwant Singh s/o Amrik Singh R/o Bagrian for hair and beard cutting then I listened the noises outside the shop and I came out of shop and seen that outside my house Iqbal Singh (armed with Iron Dah), Manjeet Singh armed with stick) sons of Sardul Singh, Satgur Singh armed with Gandasa) and Ladpreet Singh alias Ladi armed with Gandasa) sons of Iqbal Singh, Varinder Singh armed with Gandasi son of Manjeet Singh, Bablu(armed with Stick) son of Tari Residents of Bagrian, Sumit Singh (armed with iron rod) son of Harman Singh, Prabhdeep Singh armed with Stick) and Jandu(armed with Stick) residents of Amargarh, Lavi Katia(armed with Stick) resident of Dhuri, Lovepreet Singh armed with stick) son of Gurjant Singh resident of Dhanaula and 6-7 unknown persons having stones in their hands were standing and were raising lalkaras and were pelting stones towards my home and they saw me outside the shop of Balwant Singh and all those persons with intention to kill me ran towards me along with their weapons. Then to save my life I entered into the house of Harjit Singh son of Teja Singh R/o Bagrian and his family members were not present at house. Then to save myself I tried to shut the main gate of house then the above said persons pushed the gate and with the intention to kill me they along with their weapons entered into house and they all surrounded me and Satgur Singh hitted on my head with reverse side of Gandasa and simultaneously Satgur had hitted on my right leg beneath the knee with the reverse side of Gandasa, then Sumit Singh hitted on my right leg with his iron rod then Varinder Singh hitted on my right leg with his Gandasi then Ladpreet Singh alias Ladi punched on my lips, then I raised the cries of marta marta and public gathered outside the house of Harjeet Singh then above said persons fled from there along with their weapons by giving death threats to me. Then my nephew Amrit



Singh S/o Kulwant Singh R/o Bagrian came on the spot, who arranged the vehicle and got me admitted to Civil Hospital Nabha for the treatment of injuries, where my treatment is going on. The resentment is that some days ago I got registered a case of assaulting me against Iqbal Singh, Satgur Singh and Ladpreet Singh. Due to that reason the above said persons again assaulted me with intention to kill me. Appropriate legal action may be taken against above said persons. I have made and heard the statement which is correct. Sd/- Harpreet Singh”

3. Learned counsel for the petitioners submits that even though, both the petitioners have been named in the FIR, but no specific role has been assigned to them. It has been shown that Dalawar alias Jandu, petitioner was carrying a stick and he along with other persons had attacked the complainant in the present case. Learned counsel further contends that the injury, which led to addition of the offence under Section 109(1) of BNS, is not attributed to them. Further, no recovery is to be effected from both the petitioners. Learned counsel next contends that the injury, which caused fracture on the right leg of the complainant, has been attributed to Satgur Singh and the bail of Satgur Singh has already been declined by this Court. He next contends that similarly placed co-accused, namely, Lovepreet Singh and Purbdeep Singh alias Prabhdeep Singh have already been granted the concession of interim anticipatory bail, by this Court vide orders dated 28.05.2025 and 29.05.2025 passed in CRM-M-28186-2025 and CRM-M-30968-2025 (Annexures P-2 and P-3, respectively).

4. On the other hand, status reports have been filed by way of an affidavit of Deputy Superintendent of Police, Sub-Division, Amargarh, District Malerkotla, in Court today and the same are taken on record. Learned State



counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that serious allegations have been leveled against the present petitioners and they do not deserve the concession of bail by this Court.

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

6. It is not in dispute that similarly placed co-accused, namely, Lovepreet Singh and Purbdeep Singh alias Prabhdeep Singh have already been granted the concession of interim anticipatory bail, by this Court, vide orders dated 28.05.2025 and 29.05.2025 passed in CRM-M-28186-2025 and CRM-M-30968-2025 (Annexures P-2 and P-3, respectively). In the present case, even though, both the petitioners have been specifically named by the complainant, but no overt act has been attributed to them. Both the petitioners have simply shown to be present at the place of occurrence. Thus, the prosecution is yet to lead evidence to prove the involvement of the petitioners in the crime.

7. Without commenting any further on the merits of the case, the present petitions are allowed. The petitioners are 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 petitioners to join investigation, if so required, by issuing a written notice in this regard and they shall abide by the conditions mentioned in Section 482(2) of the BNSS.

The present petitioners shall also abide by the following conditions:-

- (i) The petitioners 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 them to disclose such facts to the Court or to any other authority.



(ii) The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.

(iii) The petitioners shall also file their affidavit before the concerned I.O./Arresting Officer, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the case. In case of change of place of residence/mobile number, they shall share the details with the concerned Investigating Officer.

(iv) In case, the petitioners involve in any other criminal activity, during the pendency of the case, it shall be viewed seriously and the prosecution shall be at liberty to move a petition for cancellation of bail granted to them.

04.08.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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