



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

202

CRM-M-30976-2025

DATE OF DECISION: 17.06.2025

ABHIJIT

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sumit Dua, Advocate for the petitioner(s).  
Mr. Sandeep Singh, AAG, Punjab.  
Mr. Vipin Kumar Sharma, Advocate for the complainant.

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SANDEEP MOUDGIL, J (ORAL)1. Prayer

This petition has been filed under Section 482 of BNSS for the grant of anticipatory bail in FIR No. 26 dated 07.03.2025 U/s 115(2), 118(1), 126(2), 351(2), 3(5) of BNS( section 118(3) of BNS added lateron) P.S. division 2, District Jalandhar and further arrest of the petitioner be stayed during the pendency of the present petition.

2. Prosecution story set up in the present case as per the version in the FIR reads as under :-

*'Statement of Prince s/o of Ashok Kumar resident of house number B2/646 Gandhi Camp Jalandhar age about 25 years Mo No. 7986777854. Stated that I am a resident of the above address and work for someone at the shop of hair cutting salon Express Model Town Jalandhar. On date 03.03.2025, I was riding my motorcycle number PB08 DK 2308 brand Splendor color black which I was riding and my brother Ankush was sitting on the seat behind me. We were going to my father Ashok Kumar who is*



*admitted to Civil Hospital Jalandhar. When we reached FCI Godam Gandhi Camp Dana Mandi Road, we were lured by Avi, Mannu son of Ram, both of them brothers and their aunt's son Gaurav. They stopped our motorcycle who had weapons like iron sickles and daggers. Along with them, Gaurav's brother King son of Ashu resident of Basti Bawa Khel also had iron sickles. The one who stopped us and said that the fight that was fought earlier should be resigned with us, to which we refused, first Avi hit me with an iron sword, the back of the iron sword under my right shoulder, then Avi hit me with the iron sword straight on me and I brought my right hand forward which hit my finger. Then Mannu hit me with the iron sickle which hit my hand. Then Gaurav hit me with the iron sickle which started to hit my left leg, then suddenly my right leg moved forward which hit my right leg. Avi then hit my right arm with the iron sword which hit my right wrist. Then Gaurav's brother King hit my iron sword which hit my left finger. Then Avi and Mannu hit my wrist with their weapons which hit my right arm. When my brother Ankush came forward to save me, my brother Ankush's brother Avi, Mannu and Gaurav and Gaurav's brother King hit him with an iron sickle and an iron rod. My brother also hit by them four times with an iron sickle and a rod and beat my brother Ankush on the spot. When we made a lot of noise, people gathered and seeing them, they started running away from the spot. Avi threatened that if you do not resign with us, then be ready to face the consequences. The reason for this is that on 12.02.2025, they had also beaten my father Ashok Kumar and were pressurizing us to resign in this regard. I told this statement after talking and consulting with my younger brother Ankush to my elder brother Nitish, son of Ashok Kumar, resident of B2/646 Gandhi Camp, Jalandhar, who is with me. I am writing this in the presence of my brother Nitish. I am not able to sign with my right hand due to severe injuries and fractures. I am placing my thumb under my statement. I have written this statement in the presence of my brother Nitish, which is correct. Action should be taken. I am the claimant. LTI (Prince) SD/(English) Nitish 7986777854 Verification Vijay Kumar ASI Police Station Division No. 2*



*Commissionerate Jalandhar Date 06.03.2025 Action Police:-On 04.03.2025, ASI received from Civil Hospital Guard Room one MLR No. SMK/99/CHJ/2025 dated 03.03.2025 Prince son of Ashok Kumar resident of house B2/646 Gandhi Camp Jalandhar second MLR No SMK/100/CHJ/2025 dated 03.03.2025 Ankush son of Ashok Kumar resident of house B2/646 Gandhi Camp Jalandhar were received, whose written application was submitted to the doctor where the doctor wrote to injured Prince that his. He has voluntarily gone to another hospital and Injured Ankush was not admitted to us as per the NO Admission No Record, on which Injured Prince was contacted on the number 7986777854 given on his MLR, whose elder brother Nitish answered the phone and told that my younger brother Prince is admitted to Ganga Hospital, on which Man along with ASI reached Ganga Hospital where he submitted a written application to the doctor, on which the doctor wrote that injured Prince is unfit to give a statement, on which Nitish son of Ashok Kumar injured inquired from the elder brother of the said about his younger brother Ankush, whose phone was not being contacted and his elder brother Nitish also did not get any contact on his younger brother Ankush's phone, on which Nitish son of Ashok Kumar resident of house number B2/646 wrote in his statement that he will consult with his brothers and contact you, on which he returned to the police station and filed a report number 29 dated On 04.03.2025, the ASI along with the employees reached Ganga Hospital again on 05.03.2025, where they submitted a written application to the doctor, on which the doctor wrote that he was unfit to give a statement and injured Ankush's mobile number 83604-52158 was contacted, who told that he was at home, on which the ASI along with the employee Ankush, son of Ashok Kumar, resident of house number B2/646, Gandhi Camp, Jalandhar, reached the house where injured Ankush wrote in his MLR statement that he would write a statement after consulting his brother Prince and the other brother. I do not want to give a statement regarding the action yet, I will contact you later and write a statement, on which the ASI along with the employees came to the police station. On return, report number 37 dated*



05.03.2025 was found. On 06.03.2025, the ASI along with the Ct Kamal Kant No. 1816, PHG Abhishek No. 15454 reached Ganga Hospital Jalandhar where written application was presented to the doctor on which the doctor wrote that the said injured was fit to give a statement on which the said injured Prince son of Ashok Kumar resident of house number B2/646 Gandhi Camp Jalandhar got his said statement recorded by the ASI on which since his right hand was injured and bandaged, he accepted his statement and put the thumb of his left hand on which his elder brother Nitish signed his English on which the ASI verified the statement and in the MLR the doctor had shown that the said injured Prince had suffered a total of 3 injuries. All three injuries were under X-ray ALL KOU MLR were Sharp and in the second MLR Ankush the doctor has shown a total of 4 injuries on which injury number 1 has been kept under X-ray, injury number 1 and two Sharp injuries number 3 and 4 are blunt which Both the MLRs have been kept under X-ray and under opinion, action will be taken as per the report, both the MLRS have been kept sharp and the statement has been taken as per the MLR and it is found that there is a crime under 115(2).118(1), 126(2),351(2),3(5) BNS, on which the statement is being sent to the police station MHC, PHG Abhishek No. 15454, to register the case and register the case, the case should be registered and the case number should be informed, the Chief Officer of the police station and control room should be informed, the ASI along with the employee, along with the elder brother of the injured Nitish, will leave for the scene of the incident. Area: Ganga Hospital Jalandhar At:-12:05 AM Vijay Kumar ASI Police Station Division No. 2 Commissionerate Jalandhar. Date 07.03.2025.'

3. **Contentions**

**On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that the reason of dispute between the parties is of illegal business of complainant party



selling the drugs in the area. He further submits that no injury has been attributed to the petitioner. He undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

**On behalf of the State and counsel for the complainant**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail. They submits that there are allegations of causing injury on the right shoulder of the victim as well as another injury with an iron khanda on the fingers of right hand of Prince which was declared grievous in nature. He further refers to the status report elaborating the injuries assigned to all the accused persons involved in the FIR. He also points out Annexure R-1 i.e. copy of MLR filed with the status report, demonstrating the nature of the injuries as grievous and it was incised wound. He further contends that for recovery of weapon i.e. Khanda, the custodial interrogation of the petitioner is required.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, and the backdrop of the dispute wherein the parties are involved in multiple litigations against each other and lodging the FIRs and counter case, the injuries attributed to the petitioner are on non-vital parts of the body and in view of the undertaking given by the petitioner that that he will not abscond and will not leave the country without prior information, this



Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

*'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person 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 him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*



However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**17.06.2025**  
*anuradha*

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>