

**IN THE COURT OF UPINDER SINGH JANDU,  
ADDITIONAL SESSIONS JUDGE, SANGRUR.  
(UID Number PB00842)**

|                     |                                        |
|---------------------|----------------------------------------|
| Case Type           | Bail Application                       |
| Registration Number | 3007 Date of Registration : 22.08.2025 |
| CNR Number          | PBSG01-007413-2025                     |
| Date of Decision    | 27.08.2025                             |

Anmol Singh aged about 21 years son of Tarsem Singh resident of Sunder Basti, Tehsil and District Sangrur.

...Applicant/accused

Versus

State of Punjab

...Respondent

**Application Under Section 483 of BNSS for grant of Regular Bail**

FIR No. 28 Dated 03.02.2025

Under Sections 109, 118(1), 126(2), 190, 191(3), 351(2) BNS and Section  
61(2) and 118(2) BNS added later on  
Police Station City, Sangrur.

Present: Sh.S.S.Grewal, Advocate for applicant/ accused.

Sh. H.R.Goyal, Additional Public Prosecutor for the State.

**ORDER**

1. This application for grant of regular bail has been filed on behalf of applicant/accused in a case FIR number 28 dated 03.02.2025 Under Sections 109, 118(1), 126(2), 190, 191(3), 351(2) BNS and Section 61(2) and 118(2) BNS added later on; Police Station City, Sangrur.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put

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in appearance. Record has been produced by HC Parambir Singh, number 1531/Sangrur.

3. I have heard the learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State and have gone through the record.

**Arguments advanced by the learned counsel for the Applicant/accused:**

4. The learned counsel for the applicant/accused argued that the accused/applicant has been falsely implicated in this case. He is in custody since 09.03.2025. Challan in this case has already been presented. The conclusion of the trial will take sufficient time. Further detention of the applicant/accused will amount to punishment before trial which is not the intention of law; and prayed that he be released on bail.

**Arguments advanced by Learned Additional Public Prosecutor for the State:**

5. Per contra, learned Additional Public Prosecutor for the State has opposed the bail application on the ground that the applicant/accused was armed with iron Daah and has given injury on the head and nose measuring 20 cm X 0.3 cm extending on the fore head to the nose and has even placed on record the photograph of the injured which shows that multiple stitches have been placed starting from the fore head till the end of the nose on the face of the injured qua the said injury. It has further been argued that as the allegations against the accused/applicant are grave

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in nature, he does not deserve the leniency of the Court in grant of relief of regular bail.

**Factual matrix of the Case:**

6. The criminal law was set into motion against applicant/accused and his co accused on the statement of complainant Dilpreet Singh that on 02.02.2025, it was Basant festival. Complainant Dilpreet Singh alongwith his friend Lakhwinder Singh alias Lakha was standing near Government school, Haripura Basti, Sangrur Road. At about 2:30 pm, Jashan alias Likhari, Roshan Baba(applicant/accused) and Anmol of their colony alongwith 3-4 unknown persons armed with deadly weapons were standing near the school. Roshan and Jashan against whom various cases have already been registered, used to cause mischief in the colony. Jashan Likhari was arguing with his cousin Aryan Puri. When the complainant tried to stop him, the abovesaid persons started abusing him. In order to avoid them, when he alongwith Lakhwinder Singh and Aryan were about to proceed to their house, then all the above said persons encircled them. Jashan Likhari in a loud voice said that he should be taught a lesson for messing with them. Then two unknown persons to whom he can identify on seeing them, caught hold of his arms and Anmol with an intention to kill him gave Daat blow which hit on his forehead and nose. Roshan Baba(applicant/accused) gave fist blows on his face which hit on his left eye. Then, Roshan Baba(applicant/accused) caught hold of him and Jashan Likhari with an intention to kill him gave blow

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with an iron gear held in his hand, which hit on the back side of his head. He fell down on the road. People gathered at the spot and then the assailants fled away from the spot alongwith their respective weapons while extending threats to him. His uncle Gurmeet Singh got him admitted in Civil Hospital, Sangrur. After giving him first aid he was referred to Rajindra Hospital, Patiala and from there he was further referred to PGI, Chandigarh. The motive for the occurrence is that the accused are miscreants. They harass innocent persons in the colony and if anybody stops them, they threaten them and beat them. They are also in the habit of taking intoxicants. On the basis of statement of complainant an FIR under Section 109, 118(1), 126(2), 190, 191(3), 351(2) of the BNS was registered against Jashan Likhari, Roshan alias Baba(applicant/accused), Anmol and 3-4 unknown persons. On 6.3.2025, the complainant recorded his supplementary statement that accused Jashan Likhari and others are in the habit of taking intoxicants and encourage the young boys to indulge in consuming intoxicants and all of them procure the intoxicant material from Rishi Walia, a Smuggler and then further sell the same. Earlier he had stopped Rishi Walia from doing the said act and due to the said grudge Rishi Walia hatched a criminal conspiracy and sent the above said accused who attacked him and caused injuries to him. On the basis of complainant's statement, Rishi Walia was nominated as accused in the present case and offence under Seton 61(2) of the BNS was added. On 3.4.2025, injuries no.1 and 2 on the person of

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complainant were declared as grievous in nature and an offence under Section 118(2) of the BNS was added.

**Findings:**

7. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record, coupled with the assistance rendered, it is pertinent to make mention that as per the version of complainant, applicant/accused Anmol with an intention to kill him gave Daat blow which hit on his forehead and nose. The photographs shown by the learned Additional Public Prosecutor reflect that that multiple stitches have been placed from the fore head till the end of the nose on the face of the injured qua the said injury. As per the medical report, the said injury was grievous in nature. Had immediately treatment been not given to the injured/patient, the injuries could be dangerous to life. In the light of the medical opinion on record together with the facts of the case, it transpires that the applicant/accused was acting in connivance with his co accused and all were armed with deadly weapons and had given intentional blow of injuries on the person of injured. In view of facts, Section 109 BNS is prima facie attracted in the case as applicant/accused has given injuries on the vital organ of the body of the injured i.e. starting from head and ending upto the nose and the dimension of injury 20cm x .03 cm itself speak volumes about the intention of the applicant/accused.

8. Reliance is placed on findings of the **Hon'ble Punjab and Haryana High Court in Beni Prashad vs. State of Haryana 2007 (1)**

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**RCR 759 (Criminal)** in which it has been held that injury alone is not the essence of the offence under Section 307 IPC. The intention or knowledge is to also to be seen. The intention or knowledge of the applicant/accused is to be inferred from the fact that the applicant/accused has been armed with deadly weapon i.e. iron Daat and has given blow on the head extending to the nose on the person of the injured which shows his intention to cause deadly injuries to the injured.

9. While considering the prayer for the grant of bail, the Court has to see various aspects including the allegations levelled against the applicant/accused, weapon and the injuries attributed, the stage of the investigation/trial as the case may be. The Court has to ensure that the grant of bail to an accused shall not hamper either in the investigation or the trial. Mere incarceration for a particular period, ignoring the other relevant facts, cannot be a sole ground for grant of bail. Though the period of custody is a relevant factor, still the same has to be weighed simultaneously with the totality of the circumstances keeping in view the stage of the case and the gravity of the offence involved.

10. **As reiterated in Prasanta Kumar Sarkar vs. Ashish Chatterjee And Another, (2010) 14 SCC 496**, it is well-settled that the factors to be borne in mind while considering an application for bail are:

- (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;
- (ii) nature and gravity of the accusation;
- (iii) severity of the punishment in the event of conviction;
- (iv) danger of the accused absconding or fleeing, if released

on bail;  
 (v) character, behaviour, means, position and standing of the accused;  
 (vi) likelihood of the offence being repeated;  
 (vii) reasonable apprehension of the witnesses being influenced; and  
 (viii) danger, of course, of justice being thwarted by grant of bail.

11. As such at this stage, after giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record, coupled with the assistance rendered, keeping in view the seriousness of the allegations leveled, coupled with the gravity of the offence, severity of the injuries, and the fact that material witnesses are yet to be examined; mere, incarceration in custody or presentation of the challan is no ground to release the applicant/accused on bail. Ergo, without further meticulously examining the evidence on record and without commenting upon the merits of the case, this Court is of the considered view that prima facie the applicant/accused is not entitled to the relief of bail. Consequently, as a sequel to the above discussion, the bail application is dismissed. Any observation made in this order shall have no effect on the merits of the case. Police record be returned. Bail application file be attached with the main file.

**Announced: 27.08.2025**

Rakesh Kumar Stenographer-I

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