

CNR No. PBPO010065412025



Case No. BA/1854/2025

Presented on : 22-12-2025
Registered on : 22-12-2025
Decided on : 24-12-2025

**In the Court of Jatinder Pal Singh Khurmi,
Sessions Judge, Pathankot.
(UID No. PB-00057)**

**BA No.881 of 22.12.2025
CIS No.BA/1854/2025
CNR No.PBPO010065412025
Date of Order: 24.12.2025**

Michael, aged 25 years son of Babbu, resident of H.No.326, Ward No.7,
Mohalla Issa Nagar Pathankot, Tehsil and District Pathankot.

...Applicant/Accused.

Versus

State of Punjab
...

...Complainant.

FIR No.0173 dated 15.12.2025.
U/Ss. 115 (2), 1181 (1), 126 (2),
191 (3), 190, 351 (3) BNS.
P.S.Division No.1 Pathankot.

“ First Bail application under Section 482 of BNSS”

Present: Sh.Ketan Mahajan, Advocate for the applicant-accused.
Sh.Arun Kumar, Additional Public Prosecutor for the State.

ORDER:

1. Heard, on the anticipatory bail application under Section 482
of BNSS, 2023 moved on behalf of the applicant/accused namely
Michael.

2. Upon notice, learned Additional Public Prosecutor for the State strongly opposed the bail application on the ground that applicant-accused by hatching criminal conspiracy with other co-accused have committed a heinous offence. The offence committed by the applicant is serious in nature.

2.1. Police official ASI Kewal Singh No.1246/Ptk has tendered proforma containing brief of the case in other connected bail application bearing CIS No.BA/1855/2025 titled as “Mukul vs. State of Punjab”, which is also fixed for today itself and same is duly attested by Insp/SHO Mandeep Salgotra No.28/BTRT, PS Division No.1 Pathankot.

2.2. It is submitted that the present FIR has been registered on the statement of complainant Sourav against accused Mukul, Vishu, Rohit alias Nikra, Michael and Abhi for commission of offence under Sections 115 (2), 118 (1), 126 (2), 191 (3), 190, 351 (3) of BNS, 2023 at PS Division No.1 Pathankot. All the accused are yet to be arrested.

2.3. It has been further submitted in the proforma that the complainant has been injured in this incident. The co-accused Mukul has stopped the complainant by hitting the side of his Car whereas the applicant-accused Michael has given leg blows to the complainant while his falling down on the ground.

2.4. It has been further submitted in the proforma that nature of injuries attributed to the applicant-accused is simple in nature and datar was used in the crime. No recovery has been effected from the applicant-accused. He prayed for dismissal of the bail application of the applicant-

accused.

3. Brief facts of the case are that present FIR has been registered on the statement of complainant Sourav son of Deepak, resident of Ward No.9 Isa Nagar, Mission road, Pathankot. The complainant has stated that he works at Jonny's grocery shop at Gandhi Chowk Pathankot. On 14.12.2025 at about 8:30 PM, he was going back to his house after work and when he reached near church at Mission Chowk, white colour car i-20 came being driven by Mukul son of Anil, resident of Isa Nagar and he hit him side of the car and stopped him due to which he fell on the ground.

3.1. The complainant has further stated that out of the car Rohit alias Nidka, resident of Isa Nagar, who was holding a datar in his hand and hit the same on his right leg. Abhi, resident of Isa Nagar hit him with a baseball bat above his right eye. Vishu, Michael and Mukul, residents of Isa Nagar picked him up from the ground and put him in their vehicle and took him to Isa Nagar temple where Vishu took him out of the vehicle and hit his right eye with a baseball bat and gave second blow on his nose and he fell on the ground.

3.2. The complainant has further stated that Abhi hit on his left arm with a baseball bat and he fell on the ground, then Michael and Vishu gave leg blows and Vishu said that he should teach a lesson because earlier his brother had fought with them. He raised alarm "Mar Ditta-Mar Ditta" and all the assailants while giving threatening to kill him, ran away from the spot along with their vehicle and weapons. Hearing his screams, his mother and sister came out of the house and after arranging the conveyance, they

took him to Civil Hospital Pathankot and the doctor issued his MLR No.1781/AK/14/12/25/CH/Ptk.

4. Police record was summoned and perused. I have heard the arguments advanced by Learned counsel for the applicant/accused and Learned Additional Public Prosecutor for the State and also have gone through the record carefully.

5. Learned counsel for the applicant/accused has argued that the applicant has been falsely implicated in the present FIR on the basis of exaggerated and one sided allegations. As per the FIR, the alleged occurrence is alleged to have taken place on 14.12.2025 at about 8:30 PM, whereas the FIR has been registered on 15.12.2025 at 19:06 hours without any plausible explanation for the delay, which casts serious doubt on the prosecution story.

5.1. It has been further argued that as per the allegations in the FIR no case is made out against the applicant, as the FIR is false and has been filed on concocted version and is vague. The complainant had created a false, baseless, vexatious story to indulge the applicant in the false FIR with the malafide intention to harass the applicant.

5.2. It has been further argued that as per the alleged version in the FIR, the complainant was not allegedly armed with any deadly weapon nor any injury has been allegedly attributed specifically to the applicant. The applicant is innocent and has not committed any offence. No custodial interrogation of the applicant is required by the police officials. The police authorities are conducting raids at the residential house of the applicant and

he is apprehending arrest. The applicant-accused undertakes to abide by any terms and condition which may be imposed by this Court. The applicant is ready to join the investigation as and when required. He prayed for granting anticipatory bail to the applicant-accused in the event of his arrest.

6. On the other hand, learned Additional Public Prosecutor for the State has strongly opposed the bail application on the ground that the applicant-accused by hatching criminal conspiracy with other co-accused caused injuries on the vital and non vital parts on the person of complainant Sourav and stopped the way of the complainant by hitting the side of i-20 white colour car and during this incident, the complainant had received serious injuries from the hands of the accused party. Even the complainant was given leg blows by the accused party. The applicant-accused has committed a serious offence. He prayed for dismissal of the bail application.

7. Now from the facts of the case and the police record shows that co-accused Mukul while driving the car i-20 white colour hit the side in the complainant Sourav and stopped him due to which he fell on the ground. The co-accused Rohit alias Nidka hit with datar on the right leg of the complainant. The co-accused Abhi hit the complainant with baseball bat above his right eye. The applicant-accused Michael and co-accused Vishu and Mukul picked up the complainant from the ground and put him in their vehicle and took him to Isa Nagar temple where co-accused Vishu took him out of the vehicle and hit his right eye with a baseball bat and gave second

blow on his nose and he fell on the ground. The co-accused Abhi hit on the left arm of the complainant with a baseball bat and he fell on the ground, then applicant-accused Michael and co-accused Vishu gave leg blows and Vishu said that he should teach a lesson because earlier his brother had fought with them.

7.1. Police record shows that the complainant Sourav, who had received injuries in the occurrence from the hands of the accused party, got conducted his medical examination at Civil Hospital Pathankot and as per MLR No.1781/AK/14/12/2025/CH/PTK, the doctor has found five injuries on his person, the detail of which is given as under:

Sr. No.	Injury Details	Injury Number	Pictorial depiction?
1.	Incised wound present over anterior right leg 10 CM below knee with active bleeding, Bl-Convex in shape (Length 3.2 CM, width 2 CM in the middle, Depth 1 CM, Tapering over the ends).	1	No
2.	Bruise red colour over forehead above right eyebrow (4 CM X 3 CM) associated with swelling over the wound.	2	No
3.	Linear red colour abraded wound with clotted blood present over left cheek just below left eye (length 5 CM, width 0.5 CM).	3	No
4.	Red colour linear bruise over nasal bridge (length 1.5 CM associated with swelling around the wound with clotted blood coming from nose).	4	No
5.	Red Bruise over right arm and left arm with painful mobility with approximate size 3 CM X 1.5 CM.	5	No

All the injuries were declared as simple and probable duration of injury was within 3 to 6 hours. The kind of weapon used for injury No.1 was sharp and injuries No.2,3,4 and 5 was blunt.

8. Accordingly, keeping in view the above said facts and

circumstances, this Court is of the considered view that as per MLR No.1781/AK/14/12/2025/CH/PTK, the injuries on the persons of injured / complainant Sourav have been declared as simple in nature. The criminality of offence is matter of evidence. Aggressors are yet to be established. Hence, without commenting upon the merits of the case, it would be appropriate to grant anticipatory bail to the applicant-accused and as such, the anticipatory bail filed by the applicant-accused is hereby allowed.

9. Consequently, the applicant-accused is directed to join investigation before Investigating Officer/SHO Police Station Division No.1 Pathankot and in the event of his arrest, the investigating Officer/SHO shall release the applicant-accused on interim bail to his satisfaction. The applicant-accused shall abide by the terms and conditions as envisaged under Section 482 (2) of BNSS, 2023. Copy of this order be sent to the quarter concerned. Police record returned and bail application be consigned to record room, after its completion.

**Announced in open Court:
Dated: 24.12.2025.**

**(Jatinder Pal Singh Khurmi),
Sessions Judge, Pathankot.
(UID No. PB-00057)**

'Ajay Kumar, SG-I'

"I attest to the accuracy and authenticity of this document."