

PBGD010041862025



Presented on : 29-04-2025
Registered on : 30-04-2025
Decided on : 06-05-2025
Duration : 0 years, 0 months, 7 days

**IN THE COURT OF
ADDITIONAL SESSIONS JUDGE,
AT ,Gurdaspur
(Presided Over by Sh. Raman Goklaney)**

BA/1769/2025

Karandeep Singh @ Karan son of Amrik Singh, resident of Village Babehali, PS Tibber, Tehsil and District Gurdaspur.

..... Applicant/accused

versus

State of Punjab

.....Respondent.

**Ist Application for bail U/s 482 Bharatiya Nagarik Suraksha
Sanhita, 2023 for grant of anticipatory bail.**

G.D. No.031 dated 28-01-2025

U/S : 115(2), 118(1), 118(2), 190, 191(3) and 351 (2) of BNS, 2023
in FIR No. 9 dated 26.01.2025

Offence under Section 118(1), 115(2), 3(5) of BNS, 2023
Police Station : Tibber.

Present : Sh. G.S.Kahlon, Advocate for the accused-applicant.
Sh.Amit Singh Aulakh, Addl. Public Prosecutor for State
assisted by Sh. R.S.Goraya, Advocate.

ORDER :-

1. This order shall dispose of an first anticipatory bail application preferred under the provison of Section 482 of BNNS, filed by accused-applicant in cross-case vide GD No. 31 dated 28-01-2025 under Sections 115(2), 118(1), 118(2), 190, 191(3) and 351 (2) of BNS, 2023, in

Raman Goklaney,
Addl. Sessions Judge, Gurdaspur
Dated: 06.05.2025

FIR No. 9 dated 26.01.2025, under Sections 118(1), 115(2), 3(5) of BNS, 2023, Police Station Tibber, District Gurdaspur.

2. The facts of the case necessary for disposal/consideration of the present bail application are that initially in respect of occurrence dated 21.01.2025, FIR No. 9 dated 26.01.2025 under Sections 118(1), 115(2), 3(5) of BNS has been registered at Police Station Tibber on the statement of Rupinder Singh son of Bakshish against Kulwinder Singh and and other in respect of causing injuries upon the person of accused/applicant namely Rupinder Singh. Subsequently vide GD No. 31 dated 28.01.2025 the cross version case has been registered against five accused namely Karandeep, Bhupinder, Ramandeep, Rupinder (present accused/applicant) and Dilpreet in respect of causing seven injuries upon Kuljinder Singh (complainant of cross version case) son of Gurpartap Singh. It has been stated by Kuljinder Singh that on 21.01.2025 at about 12 PM when he reached near Christian locality then the assailants after riding on three motorcycles came and caused injuries upon him. Details of injuries inflicted by assailants upon Kuljinder Singh are as under :-

Name of Accused	Armed with/ Weapon used	Injury attributed (Sr No. of injuries in MLR)	Nature of Injury
Karandeep Singh @ Karan son of Amrik Singh	Datar	<i>incised wound measuring 03 cm present over 5th finger of left hand at distal phalanx area. Wound partially hanging from distal end"</i>	118(2) BNS
Bhupinder Singh @	Datar	<u><i>Incised wound over lateral aspect of left</i></u>	118(2) BNS

Bhinda son of Sarwan Singh		<u>forearm extending upto dorsum of left hand 18cm x 4cm (on left hand elbow and wrist)</u>	
Ramandeep son of Sadhu Ram	Datar	<u>Incised wound on over frontal region of head 5cm x 1cm</u>	118(2) BNS
Rupinder Singh @ Bhinda son of Bakhshis Singh	Iron rod	<u>Reddish abrasion with swelling over right arm</u>	115(2) (BNS)
Dilpreet Singh son of Bakhshis Singh	Iron rod	<u>Reddish abrasion over right elbow</u>	115(2) (BNS)
Unknown	Iron rod	<u>Reddish abrasion on over right forearm 10cm x 2cm</u>	115(2) (BNS)
Unknown	Iron rod	<u>Reddish abrasion on over right leg 2cm x 1cm</u>	115(2) (BNS)

3. Sh. Gurmail Singh Kahlon, Advocate, learned counsel for the accused-applicant submitted that present is the case of version and cross-version and cross-version case has been belatedly registered only in order to counter the FIR registered at the behest of accused party of cross-version case. It is next argued that it is the complainant party of cross-version case who was aggressor party. Finally it is submitted that accused-applicant is ready to join investigation as and when directed. With these submissions, prayer is made for grant of ad-interim/ anticipatory bail.

4. Per contra, Sh.Amit Singh Aulakh, learned Additional Public Prosecutor for State assisted by Sh. R.S.Goraya, Advocate, vehemently opposed the bail application by submitting that applicant along with others

after forming unlawful assembly caused serious injuries upon Kuljinder Singh. It is submitted that Kuljinder Singh has received as many as 07 injuries including the injury on the vital part i.e. head. It is argued that grievous injuries with sharp edged object has been attributed to the accused-applicant and as a result of the blow given by the accused-applicant, the finger got partially separated. The attention of this Court has been drawn towards the MLR of Kuljinder Singh, wherein the extent of injury has been mentioned. With these submissions, prayer is made for dismissal of the bail application.

5. After hearing the rival contentions of the parties and from the perusal of the record, it emerges out that cross-version case has been registered in respect of injury sustained by Kuljinder Singh. As per the medical record, the date of examination of injured by Medical Officer has been reported to be 21.01.2025 i.e. date of incident. The accused-applicant allegedly armed with Datar (Sickle/ sharp edged object) and the injury inflicted by him has been categorized under Section 118(2) of BNS. The nature and extent of injury in the MLR has been described as “*incised wound measuring 03 cm present over 5th finger of left hand at distal phalanx area. Wound partially hanging from distal end*”. The infliction of grievous injury with sharp edged object, prima facie indicates a greater degree of culpability. Consequently, considering the severity of injury attributed to accused-applicant and the weapon allegedly employed, this Court is not inclined to grant concession of anticipatory bail to accused-applicant. The nature and severity of injury attributed to applicant/Karandeep Singh is substantially different from the injury attributed to co-accused Rupinder Singh, who has

been granted concession of anticipatory bail by this Court. Accordingly, the present bail application is dismissed.

6. However, the observations made in this order are not to be construed as an opinion on the merits of the case. These observations have been made solely for the purpose of deciding the bail application. File be consigned to the record room.

**Pronounced in open Court.
On 06.05.2025.**

**(Raman Goklaney)
(UID No PB0687)
Additional Sessions Judge,
Gurdaspur.**

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