



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

214/2

**CRM-M No.4942 of 2026
Date of decision : 23.4.2026
Date of uploading : 24.4.2026**

Teja Singh**Petitioner**

Versus

State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. RDS Bhullar, Advocate, for the petitioner
Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Apprehending his arrest in FIR No.152 dated 26.12.2025 for commission of offences punishable under Sections 118(1), 61(2) of BNS (Section 118(2) of BNS added later on) registered at at Police Station Ajitwal, District Moga, the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking pre-arrest bail.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Sukhveer Singh S/o Jaswant Singh S/o Dalwara Singh R/o Kokri Vehniwal aged about 60 years Phone No. 98763-18743 stated that I am a resident of aforesaid address and work as an agriculturist. On Dated 24.12.2025, my daughter Sandeep kaur W/o Balwant Singh R/o Kokri Buttran visited my house for meeting me. My 2 children, my son Gurdeep Singh resides abroad in America and I reside alone at Village Kokri Vehniwal. Time was around 03:20 PM, my daughter had gone for collecting firewood from adjoining plot for



cooking food. Meanwhile Teja Singh S/o Balveer Singh's daughter Kirandeep Kaur and her younger sister Priya from the adjoining house of that plot manhandled my daughter Sandeep Kaur. While listening to the noise, I also went to the spot. Daughters of Teja Singh scuffled with my daughter and had beaten her. Paternal uncle (taaya) of Kirandeep Kaur, namely Jetha Singh S/o Balveer Singh while standing alongside his nieces, was encouraging them and saying that let my brother come, then we will teach them a lesson. After giving beating to my daughter, Jetha Singh went to his house along with his nieces and I along with my daughter Sandeep Kaur and my grand-son Gurveer Singh came to our house. Then my daughter Sandeep Kaur went to PS Ajitwal for lodging complaint and I was alone at house. Then time was around 05:00 PM, while Teja Singh S/o Balveer Singh R/o Kokri Vehniwal carrying gandassi in his hand, came before my house and started saying that your son-in-law had come, come outside. When I tried to shut my door, then Teja Singh gave a blow of gandasi carried in his hand, which opposite side got on my fingers of left hand. Then he gave a second blow of gandasi on my head and I put my right hand before for saving myself, and blow of gandasi got on my fingers of right hand. due to which injury was inflicted on my fingers of my right hand and my little finger was amputated. I fell down and then he again gave a blow of gandasi, which got on backside of my left hand. I raised an alarm then Teja Singh ran away from the spot along with his weapon after inflicting me injuries. Then I telephonically called my son-in-law Balwant Singh, who came and after making an arrangement of conveyance, got me admitted to Civil Hospital Moga, where I am undergoing treatment. The cause of dispute is that Teja Singh claims the right of 4 marlas land in our plot, whereas he has no land in our plot. Earlier also, he had got lodged some complaints against us, which were found false. Teja Singh who had got me injuries inflicted has done this upon saying of his brother Jetha Singh S/o Balveer Singh and his daughter Kirandeep Kaur D/o Teja Singh R/o Kokri Vehniwal. On Dated 25.12.202 you have come to record my statements, but due to severe pain, I could not get my statement recorded. Today I have got my statement recorded in the presence of my son-in-law Balwant Singh, have read and is correct. Sd/ aforesaid Sukhveer Singh, Attested Sd/-Balwant Singh S/o Joginder Singh R/o Kokri Buttran, Attested Sd/ Balwinder Singh ASI, PS Ajitwal Dated 26.12.2025.'

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that there is delay of 2 days in lodging the FIR as the scuffle took place on 24.12.2025, whereas the FIR was registered on



26.12.2025. Learned counsel has further argued that the instant case is nothing but an afterthought action by the complainant. Learned counsel has further argued that initially the FIR was registered under Section 118(1) and 61(2) of BNS. Learned counsel has further argued that injury no.2, which is declared as grievous, is self inflicted injury, as it is not possible that only little finger got cut with a quick blow of gandasi. Learned counsel has further argued that the petitioner has been falsely roped in the instant case due to grudge of the complainant with regard to the claim of share in the plot adjoining to their houses. Thus, petitioner be given the concession of anticipatory bail.

4. Learned State Counsel has filed status report dated 10.3.2026, which is on record. Raising submissions in tandem with the said status report, learned State counsel has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations against the petitioner are grave and serious in nature. Learned State Counsel submits that after about 2 hours of the incident, the petitioner armed with gandasi came in front of house of complainant and started raising *lalkaras*. Thereafter, he gave gandasi blows 3 times upon the complainant and ran away from the spot. Learned State counsel further submits that as per MLR, out of 3 injuries suffered by the complainant, injury no.2 was declared grievous and on that basis Section 118(2) of BNS was added vide DDR No.19 dated 28.12.2025. Learned State counsel has iterated that the custodial interrogation of the petitioner is imperative for the purpose of effective and fair investigation and to unearth the case of the



prosecution. According to learned State counsel, in case the petitioner is granted the concession of pre-arrest bail, at this stage, it may impede the ongoing investigation.

5. I have heard learned counsel for the rival parties and have gone through the entire record.

6. It would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Kishor Vishwasrao Patil vs. Deepak Yashwant Patil and another*** passed in ***SLP(Crl) No.1125-2022***, relevant whereof reads as under:

“74. Ordinarily, arrest is a part of the process of the investigation intended to secure several purposes. There may be circumstances in which the accused may provide information leading to discovery of material facts and relevant information. Grant of anticipatory bail may hamper the investigation. Pre-arrest bail is to strike a balance between the individual's right to personal freedom and the right of the investigating agency to interrogate the accused as to the material so far collected and to collect more information which may lead to recovery of relevant information.

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*75. Observing that the arrest is a part of the investigation intended to secure several purposes, in ***Adri Dharan Das v. State of W.B. [Adri Dharan Das v. State of W.B., (2005) 4 SCC 303 : 2005 SCC (Cri) 933]***, it was held as under : (SCC p. 313, para 19)*

“19. Ordinarily, arrest is a part of the process of investigation intended to secure several purposes. The accused may have to be questioned in detail regarding various facets of motive, preparation, commission and aftermath of the crime and the connection of other persons, if any, in the crime. There may be circumstances in which the accused may provide information leading to discovery of material facts. It may be necessary to curtail his freedom in order to enable the investigation to proceed without hindrance and to protect witnesses and persons connected with the victim of the crime, to prevent his disappearance, to maintain law and order in the locality. For these or other reasons, arrest may become an inevitable part of the process of investigation. The legality of the proposed arrest cannot be gone into in an application under Section 438 of the Code. The role of the investigator is well defined and the jurisdictional scope of interference by the court in the process of investigation is limited. The court ordinarily will not interfere with the investigation of a crime or with the arrest of the accused in a cognizable offence. An interim order restraining arrest, if passed while dealing with an application under Section 438 of the Code will amount to interference in the investigation, which cannot, at any rate, be done under Section 438 of the Code.”

*76. In ***SiddharamSatlingappaMhetre v. State of Maharashtra****



[Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694 : (2011) 1 SCC (Cri) 514], the Supreme Court laid down the factors and parameters to be considered while dealing with anticipatory bail. It was held that the nature and the gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made and that the court must evaluate the available material against the accused very carefully. It was also held that the court should also consider whether the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her.

77. After referring to Siddharam Satlingappa Mhetre [Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694 : (2011) 1 SCC (Cri) 514] and other judgments and observing that anticipatory bail can be granted only in exceptional circumstances, in Jai Prakash Singh v. State of Bihar [Jai Prakash Singh v. State of Bihar, (2012) 4 SCC 379 : (2012) 2 SCC (Cri) 468], the Supreme Court held as under : (SCC p. 386, para 19)

“19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the court is prima facie of the view that the applicant has falsely been enroled in the crime and would not misuse his liberty. (See D.K. Ganesh Babu v. P.T. Manokaran [D.K. Ganesh Babu v. P.T. Manokaran, (2007) 4 SCC 434 : (2007) 2 SCC (Cri) 345], State of Maharashtra v. Mohd. Sajid Husain Mohd. S. Husain [State of Maharashtra v. Mohd. Sajid Husain Mohd. S. Husain, (2008) 1 SCC 213 : (2008) 1 SCC (Cri) 176] and Union of India v. Padam Narain Aggarwal [Union of India v. Padam Narain Aggarwal, (2008) 13 SCC 305 : (2009) 1 SCC (Cri) 1].)”

Economic offences

78. Power under Section 438 CrPC being an extraordinary remedy, has to be exercised sparingly; more so, in cases of economic offences. Economic offences stand as a different class as they affect the economic fabric of the society. In Directorate of Enforcement v. Ashok Kumar Jain [Directorate of Enforcement v. Ashok Kumar Jain, (1998) 2 SCC 105 : 1998 SCC (Cri) 510], it was held that in economic offences, the accused is not entitled to anticipatory bail.”

15. In Sushila Agrawal and others v. State (NCT of Delhi) and Another reported in (2020) 5 SCC 1, Constitution Bench of this Court held that while considering an application for grant of pre-arrest bail the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence or likelihood of fleeing justice. The Court held:-

“92.4. Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicant, and the facts of the case, while considering whether to grant anticipatory bail, or refuse it. Whether to grant or not is a matter of discretion; equally whether and if so, what kind of special conditions are to be imposed (or not imposed) are dependent on facts of the case, and subject to the discretion of the court.”



7. Perusal of case file reveals that the petitioner armed with gandasi attacked the complainant and caused 3 injuries, out of which Injuries no.1 and 3 were declared simple and Injury no.2 was declared grievous in nature. The allegations against the petitioner are grave and serious in nature. As per submissions made by learned State counsel, the investigation is still at a preliminary stage, and custodial interrogation of the present petitioner is necessary to unravel the truth. The learned counsel for the petitioner has failed to demonstrate that the case registered against him is false.

7.1 No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appears to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the



petitioner, as it would necessarily cause impediment in effective investigation. In State v. Anil Sharma [State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039], the Supreme Court held as under :
(SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

9. In view of the gravity of the allegations and nature of offence, since the necessity of custodial interrogation would arise for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby dismissed.

10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(SUMEET GOEL)
JUDGE

23.4.2026

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No