



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212 CRM-M-1694-2025
Date of decision: 18th February, 2025

Varinder Singh @ Ghuga ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Maini, Advocate for the petitioner.
Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
371	05.10.2024	City Faridkot, District Faridkot	140(1), 115(2), 190, 112 of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of statement got recorded by complainant Sukhveer Kaur that on 05.10.2024, her son Sukhveer Singh with his friend Sukhpreet Singh @ Laddu had gone to service station of Paras at Nehru Shopping Centre for



getting done service of his motorcycle, where accused Bagga Singh @ Ghugga, petitioner, Kaalu Satnam Singh @ Landa, Pargat Singh @ Lovely, Inder, Sahil @ Dugga, Ramma and Neelu along with 3-4 unknown boys came on their motorcycles and started extending beatings to her son. They abducted her son and took him to Airplane Ground with an intention to kill him. The complainant along with her elder son and Sukhpreet Singh reached there and found the petitioner along with the co-accused Bagga Singh @ Ghugga, Kaalu, Satnam Singh @ Landa, Pargat Singh @ Lovely, Inder Singh, Sahil @ Dugga, Ramma, Neelu assaulting her son. On seeing the complainant party, all the accused fled from the spot. The victim was got admitted in the hospital. The complainant prayed for taking action against the accused. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Faridkot, which was dismissed vide order dated 05.12.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. Trial is likely to take time. He is ready to join the investigation. No useful purpose would be served by keeping him in custody. Neither any recovery is to be effected from him. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

4. Status report has been filed by respondent-State. It is argued by learned Senior Deputy Advocate General, Punjab that there are serious allegations against the petitioner. The petitioner actively participated in



causing grievous hurt to the victim with his weapons. The petitioner is a habitual offender since two more cases are pending against him. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. For the purpose of conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have abducted the victim and then assaulted him. On perusal of the nature of the allegations as levelled in the FIR, however, it is debatable question, as to whether, a case for commission of offences under Sections 364 and 112 of BNS has been made out against the petitioner or not? The victim had sustained several injuries but all of them were opined to be simple in nature. Given the nature of allegations, no pre trial incarceration is required. As such, without commenting on the merits of the case and in the circumstances peculiar to this case, the petitioner makes a case for release on pre-arrest bail. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrender before the learned trial Court within a period of ten days from the date of passing of this order and on his surrender within that period, he shall be released on bail by the learned trial Court on furnishing bonds to its satisfaction and the following conditions:-

(i) the petitioner shall cooperate with the investigation and shall



appear before the investigating/arresting officer as and when required.

(ii) he 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/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

8. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

18th February, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*