



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.4170 of 2025
Date of decision: 07.03.2025

BABBU SINGH @ KULDEEP SINGH**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. S.S. Brar, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 221 dated 06.12.2024 registered under Sections 105, 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sardulgarh, District Mansa, Punjab.
2. Vide order dated 27.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 27.01.2025, passed by this Court, reads as under:

"Present petition has been filed seeking grant of anticipatory bail to the petitioner in case FIR No. 221 dated 06.12.2024 registered under Sections 105, 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sardulgarh, District Mansa, Punjab.

The aforementioned FIR was registered on the basis of statement got recorded by the complainant Onkar Singh on

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06.12.2024, alleging therein that on 05.08.2024, his brother Avtar Singh had gone to watch circus along with his friend Gurpreet Singh. While they were coming back, they were intercepted by the present petitioner and co-accused who were armed with weapons and extended beatings to his brother Avtar Singh and his friend Gurpreet Singh with iron rods. Both of them were injured and got admitted in the hospital. However, they left the hospital without intimating anyone and did not report the matter to the police. Since his brother was involved in three criminal cases and had absented himself from the Court. Avtar Singh then got himself treated from some private hospital at Bathinda. The surgery of his right arm was done and one rod was inserted. He got infection subsequently due to which the rod was taken out. He died on 06.12.2020 at AIIMS Hospital, due to said infection. While alleging that death of his brother had occurred due to injury sustained at the hands of the petitioner and co-accused, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Mansa which was dismissed vide order dated 10.01.2025.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is inordinate and unexplained delay in reporting the matter to the police about the

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incident which had allegedly taken place on 05.08.2024. A false story has been planted against him. As per own version of the complainant, the death had occurred due to infection in the rod implanted in the arm of the victim. The custodial interrogation of the petitioner is not required. Neither any recovery is to be effected from him. He is ready to join the investigation. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

Notice of motion.

Learned Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 07.03.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. It would, however, be opened to the learned Assistant Advocate General, Punjab to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”



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3. Status report filed on behalf of respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 02.02.2025 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 27.01.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

07.03.2025

Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No