



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

CRM-M-16406-2025

Date of decision: 25.03.2025

JARNAIL SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Chinku Bawa, Advocate
 for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. This is the first petition filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.06 dated 26.02.2025 under Sections 109, 125, 126(2), 324(4), 191(3), 190 of BNS, 2023 (Section 109 of BNS was added later on) and Sections 25, 27, 54, 59 of Arms Act registered at Police Station Arif Ke, District Ferozepur (Annexure P-1).

2. The brief facts of the present case, as alleged are that on 26.02.2025, complainant Sukhchain Singh stated that on 25.02.2025 at about 7:15 PM, he along with Bikkar Singh and Angrej Singh was returning home to their village Saddu Shah Wala in their Swift car and at about 7:40 PM, when they reached near Bela Singh Wala turn, Jarnail Singh (petitioner herein) carrying .315 bore rifle along with other accused persons, namely, Inderjit Singh, Balwinder Singh, Tarsem Singh each carrying revolvers, Sukhdip Singh and Karnail Singh both empty handed and 4-5 unknown persons came in two cars and stopped the car of the complainant and fired shots. The



complainant along with other persons in the car tried to flee, but the petitioner and other co-accused chased them and fired shots with intention to harm them. The bullets hit the rear windshield and rear window on the conductor side and they barely escaped from the accused persons. The reason behind the incident was that wife of complainant, Harpreet Kaur contested against petitioner's wife, namely, Ninder Kaur in the *Sarpanch* elections. Hence, the FIR (*supra*) was registered.

3. Learned counsel for the petitioner *inter alia* contends that it is a case of no injury and the petitioner has been falsely implicated in the FIR (*supra*) as the wife of the petitioner has contested the election of *Sarpanch* and has lost. Due to which, she has preferred an election petition against the wife of the complainant and the elected candidate belongs to the ruling party, because of her influence, the petitioner has been falsely implicated in the present case. Apart from the bald allegations contained in the FIR (*supra*), there is no other evidence to indicate the complicity of the petitioner in the alleged incident. Further, one of the co-accused, namely Karnail Singh has already been granted the concession of ad-interim anticipatory bail by this Court in case bearing **CRM-M No.15434 of 2025** titled as **Karnail Singh vs. State of Punjab**.

4. Notice of motion.

5. Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of respondent-State and opposes the prayer made by the petitioner on the ground that petitioner is the main accused and he was specifically named in the FIR (*supra*) and his custodial interrogation is required for the recovery of the weapon of offence used in the crime. Further,



keeping in view the antecedents of the petitioner, he is not entitled to the concession of anticipatory bail. As per order dated 10.03.2025 passed by learned Additional Sessions Judge, Ferozepur, the petitioner is involved in 10 more cases.

6. Having heard learned counsel for the parties and after perusal of the record of the case with their able assistance, the petitioner is the main accused in the present case and has actively participated in the alleged incident. Further, his custodial interrogation would be imperative and he is involved in 10 more cases. As such, this Court is not inclined to grant anticipatory bail to the petitioner.

7. In view of the above discussion and keeping in view the nature of gravity of offence and the fact that the custodial interrogation of the petitioner is required, no ground is made out to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

March 25, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No