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

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**CRM-M-17353-2025
Decided on:09.07.2025**

Jasveer Singh @ Babbu

...Petitioner

Versus

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Rahul Rampal, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. S.K. Sirsa, Advocate,
for the complainant.

Rajesh Bhardwaj, J.

1. Prayer in the present petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner in a case FIR No.36 dated 04.03.2025, registered under Sections 191(2), 191(3), 115, 117(2), 118(1) of the BNS, 2023 (Section 118(2) of the BNS, 2023 added lateron), at Police Station Odhan, District Sirsa.

2. Succinctly, the facts of the case are that the present FIR was registered on the statement of Manpreet Singh, in which it was alleged that on 02.03.2025, he alongwith Yudhvire went to one Kalu's shop on Yudhvire's motorcycle to buy household items. On reaching there, they saw white coloured vehicle parked near the shop, in which Jasveer Singh alias Babbu, Sukhdev Singh alias Baniyan and 4-5 other boys were sitting. On seeing them, they got down from the vehicle alongwith their respective sharp edged weapons and Jasveer Singh alias Babbu hit on his head and left ankle with a

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sickle, as a result of which he fell down and upon this, Jasveer Singh alias Babbu and other boys assaulted him with sickles and gandas. When Yudhvir tried to intervene, Jasveer Singh alias Babbu hit him on his left arm with his sickle's reverse side. On hearing the hue and cry, a crowd was gathered at the spot and the accused escaped from the scene of occurrence. The request was made to take legal action against the culprits involved. On registration of the FIR, the investigation commenced. Apprehending arrest, the petitioner approached the Court of learned Sessions Judge, Sirsa for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 20.03.2025. Hence, aggrieved against the said order, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. It is submitted that the FIR has been registered after two days of the occurrence. It is contended that in order to implicate the petitioner in a serious offence, the medical opinion was obtained from a private hospital. It is further submitted that the present FIR is a counterblast to FIR No.198 dated 10.09.2023, registered under Sections 147, 148, 149, 323, 427, 452 IPC, at Police Station Odhan, District Sirsa, in which father of the petitioner, namely, Sukhdev Singh was mercilessly beaten. He further submitted that the said case is at the stage of recording of prosecution evidence and, thus, in order to pressurize the petitioner, the present FIR has been lodged. It is submitted that the complainant in the present case is the man of criminal nature as he is involved in about 12-13 FIRs. It is submitted that though the petitioner is involved in two other cases but he has been falsely implicated in those two cases too. He has submitted that the petitioner has been involved in the present in a due deliberated manner and, thus, he deserves to be granted concession of anticipatory bail.

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4. *Per contra*, learned State counsel has vehemently opposed the bail application and drawn attention of this Court to the status report filed by way of affidavit of Sandeep Singh, HPS, DSP, Kalanwali, District Sirsa, which is taken on record. It has been submitted that the petitioner has not only been specifically named in the FIR but the type of weapons he was armed with and the manner of causing grievous and serious injuries by him to the complainant were also duly explained in the FIR by the complainant. He further submitted that as per the MLR, a number of injuries were caused on the person of complainant Manpreet Singh and the opinion on the injuries has been taken from the government doctor and as per the doctor's opinion, injury nos.1 to 3 and 6 were found to be grievous in nature. The petitioner is also facing prosecution in two more cases and, thus, his custodial interrogation is required. He, thus, contends that the investigation would seriously prejudice in case the petitioner is granted anticipatory bail as he is having criminal antecedents. Thus, he submits that the present petition, being devoid of merit, deserves to be dismissed.

5. Learned counsel appearing on behalf of the complainant has also argued on the lines of the learned State counsel that there are specific allegations against the petitioner and he had caused grievous injuries to the complainant as he was armed with a sickle.

6. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the complainant has specifically named the petitioner in the FIR. He has also specifically explained the role played by the petitioner in the commission of offence that he was not only duly armed with a sickle but he has also caused various grievous injuries to the complainant and as per the MLR, the injuries were resulted in multiple fractures and out of 6 injuries, 4 injuries have been found to be grievous in nature as per the opinion of the doctor. The simple argument raised by the

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petitioner that the present FIR is a counterblast to the other FIR which would be matter of trial for consideration at the appropriate stage. Thus, keeping in view the gravity and seriousness of the offences, the contentions raised by the learned counsel for the petitioner cannot be appreciated at this stage where he has approached this Court for the grant of concession of anticipatory bail. However, the same could be appreciated at the relevant stage.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

“482. Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person 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 from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
 - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*

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8. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he 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 task of disinterring offences would not conduct themselves as offenders.”

9. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

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11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in their favour. Resultantly, the present petition, being devoid of any merit, is hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

July 09, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES