



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

214

CRM-M-18130-2025

Date of decision: 8th July, 2025

Jashandeep Singh @ Jashan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sarvesh Kumar Gupta, Advocate for the petitioner.

Ms. Himani Arora, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 102 dated 22.10.2024 registered under Sections 109, 333, 324(3), 118(1), 351(2), 351(3), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959 at Police Station Khemkaran, District Tarn Taran.

2. As per the allegations, on the night of 16.10.2024, the complainant Mandeep Kaur was present in her house along with her brother-in-law Sukhchain Singh @ Kala, when some noises were heard in the street. Some persons were found present there and they started pelting stones and bricks towards the house of the complainant. Then within her sight, the accused Pala Singh jumped over the gate of her house and entered therein.



The present petitioner and co-accused, who were armed with weapons then entered inside and started making exhortations. They damaged the household articles kept inside the house and the doors and windows of the house. When her brother-in-law tried to escape, accused Sona fired a shot with pistol towards him thereby making an attempt to kill him and accused Adras struck blow with sickle on his hand. They raised alarm and thereafter, the assailants fled from the spot while hurling abuses and extending threats to them. She immediately took her brother-in-law to hospital. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the present petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Tarn Taran, which was dismissed vide order dated 17.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case at the instance of the complainant. Infact, on the fateful night, the mother and brother of the petitioner were standing outside their house when the members of the complainant party reached there being armed with weapons. They made exhortations and opened an attack upon the elder brother of the petitioner. Rakesh Kumar, brother-in-law of the complainant, fired a shot with his pistol thereby injuring the brother of the petitioner. Mother of the petitioner had raised clamour and then the assailants fled away. A DDR No. 28 dated 24.04.2024 was registered as cross version. The co-accused Sona Mandal has been extended benefit of anticipatory bail by the learned trial Court. There is delay of six days in lodging of the FIR. The petitioner had even been directed to join the investigation by the Court of learned Sessions Judge but due to his suffering



from chickenpox, he could not join the same. He is ready to join the same now. His custodial interrogation is not required. No 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 Assistant Advocate General, Punjab, that there are serious and specific allegations against the petitioner. He had been directed to join the investigation by the learned Sessions Judge but did not join the same. As a consequences of which, his bail application as filed before the learned Sessions Judge had been dismissed. No extra ordinary or exceptional circumstance has been made out for extending benefit of bail to the petitioner. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. 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 opened an assault upon the brother-in-law of the complainant, who sustained gunshot and other injuries. He is also alleged to have criminally trespassed into the house of the complainant and to have criminally intimidated her family members and herself. The firearm injury sustained by the brother-in-law of the complainant had not been attributed to the petitioner but to the co-accused. No specific injury or specific overt act has been attributed to him. A cross case on the complaint



of members of petitioner's party has already been registered. Taking all these facts into consideration, this Court is of the considered opinion that the pre-trial incarceration of the petitioner is not required and a case is made out for extending benefit of pre-arrest bail to the petitioner subject to his surrendering before the Arresting/Investigating Officer within a period of ten days from today and on his joining investigation at that time and subsequently, as and when required till the challan is presented in the Court and further subject to his furnishing bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

8th July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*