



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.20043 of 2025
Date of decision: 09.04.2025

Kuldeep Singh ... Petitioner

Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amit Arora, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
46	19.01.2025	Goindwal Sahib, District Tarn Taran	115, 118(1), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (118(2) of BNS added later on)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant Sheru on 19.01.2025 alleging therein that on 06.01.2025, Seema who is daughter of his paternal uncle

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had given beating to her daughter-in-law Gola and Rekha, sister of the complainant had saved her and took Gola to her house. The complainant was going towards the house of his sister Rekha when the petitioner along with co-accused intercepted him while being armed with weapons. The petitioner and his accomplices struck blows with weapons on the person of the complainant and he had fallen down. The petitioner struck a blow with kapa on his legs. The complainant took names of the accused who were known to him. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Tarn Taran vide order dated 20.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 13 days in reporting the matter to the police. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Infact it was a case of version and and cross version as members of the complainant party had opened an attack upon him and his family members and had inflicted injuries on his person. He had also lodged a complaint with the police vide diary No.17 dated 07.01.2025 but no action was taken. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. Notice of motion.

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5. Ms. Ruchika Sabherwal, Sr. DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of pre arrest bail.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have voluntarily caused simple as well as grievous injuries to the complainant. The injury which has been attributed to him on the person of the complainant was opined to be grievous in nature and has attracted the provisions of Section 118(2) of BNS. Keeping in view the nature of the allegations as levelled against the petitioner, the part attributed to him and the attendant facts and circumstances, this Court is of the considered opinion that no extraordinary and exceptional circumstance for grant of pre arrest bail is made out in favour of the petitioner. Accordingly, the petition is dismissed.

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

(MANISHA BATRA)
JUDGE

09.04.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No