



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

**104**

**CRM-M-23079-2025(O&M)  
Date of Decision: 01.05.2025**

**GURBINDER SINGH**

....Petitioner

**VERSUS**

**STATE OF PUNJAB**

....Respondent

**CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Ms Sakshi Bakshi, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. Through the instant petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks grant of anticipatory bail in case arising out of FIR No.186 dated 20.12.2024, registered under Sections 126(2), 118(1), 351(1), 351(3), 3(5) of of Bharatiya Nyaya Sanhita, 2023 (Sections 109, and 118(2) added later on) at Police Station City Fazilka, District Fazilka.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Karan Dhingra alleging therein that on the night of 05.12.2024, he was going to village Vishakhe Wala Khu in his car to drop his helper Kala Singh at his house. While on the way, five youths were seen riding in an I20 car. When the complainant gave signal to them to cross his vehicle, they opened the rear window of



the car and started spitting at the complainant and abusing him. Then after passing some distance, they intercepted his car by their vehicle. The complainant identified all of them as he already knew them. The petitioner and co-accused chased the complainant and his helper out of the car and by making exhortation, the petitioner along with co-accused opened an attack with kapa and struck blows with the same on his person thereby causing several injuries to him. His helper rushed for his rescue but he too was assaulted by the co-accused. The rescue alarm raised by them attracted some persons and thereafter the petitioner and the co-accused after taking cash of amount of Rs.22000/- and mobile phones kept in the vehicle of the complainant escaped while extending threats to kill them. 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 was dismissed by court of learned Additional Sessions Judge, Fazilka vide order dated 27.01.2025

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 15 days in lodging of the FIR. In fact, the complainant had met with an accident with the car of the petitioner and had sustained injuries but a false story of assaulting him had been concocted. The petitioner had not caused any injury to the complainant. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed.



4. Notice of motion.

5. Learned State counsel who has advance notice of the petition and is ready to argue the matter. It is submitted that there are serious and specific allegations against the petitioner. He along with his accomplices had caused serious injuries to the victim, one of those injuries had been declared dangerous to life whereas two injuries are declared to be grievous. The custodial interrogation of the petitioner is required for conducting thorough and proper investigation in the matter. No extraordinary circumstance has been made out. Accordingly, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for both the parties and have gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have assaulted the complainant by wrongfully confining him and is further alleged to have caused simple as well as grievous injuries on his person one of which has been declared dangerous to life. There are serious allegation against him. The case is at nascent stage. The weapon of offence is also to be recovered. It is well settled proposition of law that powers for grant of pre-arrest bail are to be exercised in extraordinary and exceptional circumstances whereas no such circumstance has been made out in this case in favour of the petitioner. His case cannot be stated to be at parity with the case of co-accused since the grievous injury has been attributed to him. Keeping in view the discussion made above, I am of the



considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

01.05.2025  
Deepak Patwal

( MANISHA BATRA )  
JUDGE

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|----|----------------------------------|---------------|
| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i>        | <i>Yes/No</i> |