

2025:PHHC:062088



106.

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

CRM-M-25494-2025 (O&M)

Date of decision: 12.05.2025

Gursahib Singh @ Sahba Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursimran Singh Jossan, Advocate, for the petitioner,
through Video Conferencing.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-19291-2025

Application seeking exemption from filing certified copies of
Annexures P-1 to P-3, is allowed, as prayed for.

CRM-M-25494-2025

1. Prayer in the present petition filed under Section 482 of BNSS, 2023, is for grant of anticipatory bail to the petitioner in case FIR No.0180, dated 01.11.2024, registered under Sections 303(2), 62, 351, 191, 190 of BNS, 2023, at District Ludhiana Rural.

2. Learned counsel for the petitioner submits that civil dispute between the parties has intentionally been twisted to be given a criminal complexion; no such occurrence as alleged in the FIR in question took place. It has been asserted that in fact the complainant owed some money to the petitioner and it was in the said backdrop, the instant FIR was planted

upon the petitioner. He further submits that delay in lodging the FIR further points to the innocence of the petitioner.

3. On a pointed query put to learned counsel as to whether the petitioner has any previous criminal antecedents, he submits that no doubt some criminal cases are indeed pending against the petitioner, however, out of the pending cases, 01 case is between the same parties pertaining to 02.05.2024.

4. Notice of motion.

5. On the asking of the Court, Mr. H.S.Deol, Senior DAG, Punjab, accepts notice on behalf of respondent-State. Learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted, on instructions, that the petitioner is a man of previous criminal antecedents as it is a matter of record that he is booked in 05 other criminal cases which includes a case under the NDPS Act and other provisions of the IPC. It has also been submitted by the learned State counsel, on instructions, that on 02.05.2024, the complainant in the present FIR had lodged an FIR against the petitioner pertaining to a similar attempt which had been made on his fields and in that FIR, the petitioner had managed to flee after committing the theft of the harvested crops of the complainant, along with his tractor trolley. Learned State counsel has submitted that it is, therefore, evident that the petitioner is a habitual offender and has misused the liberty which had been granted to him in the other criminal cases which are pending against him.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. Prima facie, the petitioner comes across as a habitual offender; this is not the first time that the petitioner has harvested the paddy crop which was sown in the fields of the complainant as it is a matter of record that almost a year back, a similar offence had been committed by him. Although, learned counsel for the petitioner asserted that it was a civil dispute which was being twisted to be given a criminal complexion, however, on being pointedly asked if there was any civil dispute pending between the parties, he categorically replied in the negative.

8. In view of the foregoing discussion, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

9. Present petition stands dismissed accordingly.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 12, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No