



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

211

CRM-M-25120-2025

Date of decision: 3rd July, 2025

Naresh Kumar @ Money

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gursimran S. Bawa, Advocate for the petitioner.

Ms. Sakshi Bakshi, 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. 109 dated 02.07.2023 registered under Sections 323, 324, 506, 148, 149 and 427 of IPC (Sections 325, 326 and 307 were added later on) at Police Station Gharinda, District Amritsar Rural.

2. The aforementioned FIR has been registered on the basis of statement recorded by the complainant, Rajdeep Singh, alleging therein that on the evening of 18.06.2023, he along with his friends Arshdeep Singh and Karandeep Singh had gone to Attari Chowk, where they were intercepted by the present petitioner and the co-accused, all of whom reached there on motorcycles. They were armed with weapons. They opened an attack upon Arshdeep Singh and Karandeep Singh. The petitioner allegedly struck a



blow with a *datar* on the left side of the head and waist of Arshdeep Singh. Co-accused Honey Kumar inflicted injuries with a *kirpan* on the person of Arshdeep Singh, and accused Amritpal Singh struck blows with reverse side of *datar*. The accused Sarabjit and Gurjeet Singh Bhatti also caused injuries with a *datar* on the person of Arshdeep who fell to the ground and started bleeding profusely. Thereafter, accused Jaspreet Singh inflicted injuries on Karandeep Singh with a *kirpan* and then all the assailants fled from the spot. The injured were rushed to the hospital while alleging that there was some previous altercation between the accused and the victims Arshdeep and Karandeep Singh, which was the motive for causing injuries to them, the complainant prayed for taking action against them. Initially, a case under Sections 323, 324, 506, 148 read with Section 149 of IPC was registered. Investigation proceedings were initiated. During investigation, offences under Sections 325, 326 and 307 of IPC have been added. Investigation is still underway. Apprehending his arrest, petitioner moved an application for the grant of pre-arrest bail before the learned Additional Sessions Judge, Amritsar, which was dismissed vide order dated 10.11.2023.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is unexplained and inordinate delay in lodging of the FIR. Offence under Section 307 of IPC has been added after a gap of two years. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued 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, who formed membership of an unlawful assembly with the co-accused and voluntarily caused injuries on the person of Arshdeep Singh. The injury inflicted by the petitioner on the left side of head of the Arshdeep Singh has been declared to be grievous in nature and dangerous to life. His custodial interrogation is must for conducting thorough investigation in the matter. Recovery of the weapon of offence is also to be effected from him. No exceptional or extraordinary circumstance for granting the discretionary relief of pre-arrest bail to the petitioner has been made out. Therefore, it is urged that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, he is alleged to have opened an attack upon the victim Arshdeep Singh and co-accused Karandeep Singh as on 18.06.2023. The injury No.1 sustained by the victim Arshdeep Singh has been declared to be dangerous to life, and the same has been specifically attributed to the petitioner. Allegations against him are specific in nature. For conducting a thorough investigation in the matter and for eliciting the truth regarding the manner in which the offences were committed by him, his custodial interrogation is required. No extraordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of bail to the petitioner. Accordingly, I see no reason to allow the petition and hence, 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.

[MANISHA BATRA]
JUDGE

3rd July, 2025
Parveen Sharma

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |