



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

210

CRM-M-26008-2025

Date of decision: 28th August, 2025

Gagandeep Singh @ Gagan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

Mr. Gaurav Arora, Advocate for respondents No. 2 to 4.

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. 36 dated 14.02.2025 registered under Sections 109, 126(2), 115(2), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Sangrur, District Sangrur, Punjab.

2. As per the allegations, on the night of 13-02-2025, the complainant Sohan Singh, along with his wife Sonia and son Abhiveer, took a walk in front of his house when the present petitioner and his brother Harvinder Singh were found standing armed with swords. When the petitioner and his family members crossed them, they encircled them. They proclaimed that they would teach the son of the complainant a lesson for



staring at them, and immediately thereafter accused Harvinder, struck a blow with *kirpan* on the head of Abhiveer with an intent to kill him. The petitioner struck another blow on the head of Abhiveer with the *kirpan* kept in his hand. Accused Sukhwinder also caused other injuries with the sword on the person of his son. The complainant and his wife tried to rescue their son, but they too sustained injuries at the hands of both the assailants. On clamour being raised by them, the assailants managed to flee while extending threats to them. They were taken to the hospital by a neighbour. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for a grant of pre-arrest bail, which has been dismissed by the court of learned Additional Sessions Judge Sangrur, vide order dated 16.04.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case due to political rivalry. No injury whatsoever had been caused by him to the complainant or his family members. He was not even present at the spot at the time of occurrence, as he is working with Indian Oil and was present in his office at Sangrur at the relevant time. Even the tower location of his mobile does not show his presence to be at the spot of occurrence. No recovery is to be effected from him. He is ready to join the investigation. His custodial interrogation is not required. A compromise has been arrived at between him, the co-accused and the victims. He has clean antecedents. Co-accused Harvinder Singh has been extended benefit of regular bail. It is, therefore, urged that he deserves to be extended benefit of pre-arrest bail.

4. Respondent-State has filed status report. It is argued by learned



State counsel that allegations against the petitioner are serious in nature as he along with the co-accused had caused simple as well as grievous injuries to the complainant and his family members. One of the injuries sustained by Abhivir has been opined to be grievous in nature. His custodial interrogation is must for conducting thorough investigation in the matter. It is, therefore, urged that the petition does not deserve to be allowed.

5. Learned counsel for respondents No. 2 to 4 i.e. Victims, however, stated that they have no objection, if the petition is allowed since, a compromise has been arrived at between the parties.

6. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have voluntarily caused simple as well as grievous injuries to the victims. One injury sustained by the victim-Abhivir was opined to be grievous in nature. However, as per the status report, no injury which could be opined to be dangerous in nature had been attributed to the petitioner. The petitioner has placed on record Annexure P-3 copy of a compromise deed shown to have been arrived at between the petitioner, co-accused and the respondents No. 2 to 4. Though this court is not required to go into the authenticity of this document at this stage, however, keeping in view the nature of the allegations as levelled against the petitioner, the nature of the injuries alleged to have been sustained at his hands and the attendant facts and circumstances, this court is of the opinion that pre-trial incarceration of the petitioner would not serve any useful purpose. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. Accordingly,



the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrender before the Investigating Officer within a period of ten days from the date of passing of this order and on his surrender within that period, he shall be released on bail by the Investigating/Arresting Officer on furnishing bonds to its satisfaction and the following conditions:-

(i) the petitioner shall cooperate with the investigation and shall appear before the investigating officer/arresting officer as and when required.

(ii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

8. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

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

10. This order shall come into force from the time it is uploaded on this Court's official webpage.

[MANISHA BATRA]
JUDGE

28th August, 2025

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No