



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

211

CRM-M-28486-2025

Date of decision: 7th August, 2025

Gurvinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kamal Narula, Advocate for the petitioner.
Ms. Ramta Chowdhary, DAG, 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. 48 dated 13.08.2024 registered under Sections 118(1), 115(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') Section 118(2) of BNS added later on at Police Station Talwanid Bhai, District Ferozepur.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant-Tarsem Singh alleging that on 05.08.2024 at about 3:30 PM, he along with his partner Ravinder Singh was connecting wire with some machine, when a swift vehicle reached there. The petitioner, along with the co-accused Amrik Singh, Jashandeep Singh and two unknown persons alighted from the said vehicle. Amrik Singh made an exhortation to not to spare the complainant and thereafter, accused Amrik Singh struck a blow with sword thereby injuring his right leg. Accused Jashandeep struck a blow with sword thereby injuring his left elbow. All of them caught hold of him and dragged him. The petitioner struck blows with



a baseball bat thereby injuring his back. The unknown persons also assaulted him. Some passerbyes had reached there and then the assailants fled. The complainant was taken to hospital by his partner and was provided treatment. 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, Ferozepur vide order dated 09.09.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of eight days in lodging of the FIR which has not been specifically explained. The injury attributed to him was simple in nature. The co-accused Jashandeep Singh and Amrik Singh have been extended benefit of pre-arrest bail. On parity, he too deserves to be extended the same benefit. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. Therefore, it is argued that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have voluntarily caused simple as well as grievous injuries to the victim. The injuries that had been attributed to him,



have been declared to be simple in nature. The co-accused Jashandeep Singh and Amrik Singh have since been extended benefit of bail. Given the nature of the allegations, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. As such, a case is made out for grant of pre-arrest bail to the petitioner. 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 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.

7. 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.

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

[MANISHA BATRA]
JUDGE

7th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*