



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
214

CRM-M No.30198 of 2025
Date of decision: 16.07.2025

Sukhpreet Singh @ Khushpreet Singh @ Khusa ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Saroj Malakar, Advocate,
for the petitioner.

Ms. Himani Arora, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
21	04.04.2025	Kotfatta, District Bathinda	126(2), 118(1), 115(2), 191(3), 190 and 304(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Ajajib Singh on 04.04.2025

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alleging that about fifteen days back, an altercation had taken place between his son, the petitioner and his brother Jaswinder Singh. A case was registered against the complainant and his sons and they remained in custody. Thereafter he had been released on bail. The respectable members of the village Panchayat had intervened and to settle the matter between both the parties, told them to come to the house of Sarpanch Jagtar Singh on 02.04.2025. The complainant had gone there along with his family members. The brother of the petitioner along with Sandeep Singh had also come but had refused to proceed with any conversation by saying that his father had gone to Madhya Pradesh. On the same day, when the complainant was on way back to his house, he was intercepted by the petitioner and the co-accused who were armed with weapons and while raising lalkaras, they opened an attack upon him and his family members. The petitioner struck blow with gandas type grari thereby hitting his head. He also struck a blow with the same weapon thereby causing head injury to Charanjit Singh son of the complainant. The co-accused also caused injuries to them. On clamour being raised, the assailants had fled away. 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, Bathinda vide order dated 02.05.2025.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. At the time of the alleged occurrence, he was not present there and was in the premises of his employer Gora. His presence could be established from the CCTV footage installed in the residence of Gora. As such, there was no question of his making any participation in the incident. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. He has clean antecedents. It is, hence, urged that he deserves to be extended benefit of bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that there are serious and specific allegations against the petitioner as he caused grievous injury to the complainant and also caused injury to son of the complainant. He was named in the FIR. Offences under Sections 117(2) and 118(2) of BNS have been added during the course of investigation. For conducting proper and thorough investigation as well as effecting recovery of the weapon of offence, the custodial interrogation of petitioner is must. The authenticity of the photographs placed on record as Annexure P-2 cannot be established at this stage. There is no extraordinary and exceptional circumstance for grant of anticipatory bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

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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 complainant and his son. He is claiming that he was not present at the place of occurrence at the relevant time. However, the authenticity of the photographs placed on record by him cannot be ascertained at this stage. Keeping in view the gravity of the allegations as levelled against the petitioner coupled with the fact that no extraordinary or exceptional circumstance for grant of pre arrest bail is made out and further taking into consideration that for effecting recovery of weapon of offence and conducting deeper and proper probe into the matter, the custodial interrogation of the petitioner is required, this Court is of the opinion that no case for grant of pre arrest bail is made out. Accordingly, the petition is dismissed.

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

16.07.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No