

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

2025:PHHC:134489



207

CRM-M-33336-2025 (O&M)

Date of Decision: 25.09.2025.

Varinder Shergil

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Akbarjit Singh, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.42 dated 19.04.2025 under Sections 109, 118, 115(2), 352, 351(1), 324(4), 191(3), 190 of BNS, registered at Police Station Sadar Phagwara.

As per prosecution case, complainant Baljinder Singh made a complaint to the police alleging therein that on 18.04.2025, accused The petitioner along with Rakeshy Kumar Kota came to his premises (Ahata) and after consuming liquor, they started quarreling and thereafter went away in Swift car bearing No.PB-08-EV-1268. After some time, they along with some other boys armed with deadly weapons again came and assaulted the complainant and others. The petitioner hit the complainant with a khanda on

the right side of his back due to which he was thrashed against the wall and sustained injuries on the back side of his head. His worker Ajay Kumar also sustained injuries. On the alarm being raised by the complainant, the accused persons stopped a Breeza Car and broke its panes, due to which its driver sustained injuries. Thereafter, assailants left away from the spot. The injured were shifted to the hospital. Hence, the present FIR was registered.

Learned counsel for the petitioner contended that the petitioner is innocent and has been falsely implicated in the present case. He has no role to play in the commission of the alleged offence. There is no medical evidence on record to prove the version of the complainant. The petitioner is not previously involved in any other criminal case and he is ready and willing to join the investigation and the present petition be allowed.

Additional affidavit of Bharat Bhushan, PPS, Deputy Superintendent of Police, Sub Division Phagwara, District Kapurthala has been filed on behalf of the respondent-State and the same is taken on record.

Learned State counsel has opposed the petition and submitted that the allegations against the petitioner are serious in nature and custodial interrogation of the petitioner is required for fair and proper investigation of the case and as such he is not entitled to the concession of anticipatory bail.

Heard.

As per allegations, the petitioner hit the complainant with a khanda on the right side of his back and due to thrashing against the wall sustained injury on the back side of his head. As per the supplementary status report furnished today in the Court, the said injury was declared grievous in nature. Thus, the petitioner along with other co-accused actively participated in attacking the complainant and his workers and caused them

injuries. The custodial interrogation of the petitioner is required for fair and proper investigation in the present case and denial of custodial interrogation of the petitioner will adversely effect the investigation in the present case.

Accordingly, the present petition stands dismissed. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

25.09.2025.

Komal

Whether speaking/reasoned?	:	Yes/ No
Whether reportable?	:	Yes/ No