



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

103

CRM-M-37012-2025

Date of decision: 16th July, 2025

Bol Bamb

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Bhullar, Advocate for the petitioner.
Ms. Himani Arora, 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. 49 dated 17.06.2024 registered under Sections 324, 323, 148 and 149 of IPC (Section 326 of IPC added later on) at Police Station Lakho Ke Behram, District Ferozpur.

2. As per the allegations, on the evening of 11.06.2024, the complainant-Khilara Singh was going towards his house when accused Durga and his family members hurled abuses at him. He had made a complaint to the village panchayat. On 12.06.2024, the accused Durga as well as himself were called in the panchayat. However, neither Durga nor his family members came to attend the panchayat. On the same night, when the complainant was going towards his house, he was intercepted by the petitioner, co-accused Durga, Moti Lal, Sonu Kumar and Angrej Kumar along with 4-5 unknown persons. Accused Durga made an exhortation to teach a lesson to the complainant and then he opened an assault upon him by



striking a blow with a *daang* on the head of the complainant. The petitioner struck a blow with sword thereby injuring his left wrist. One another blow given by him, injured his left elbow, he fell from his vehicle and assaulted by the other assailants. He raised rescue alarm and then the assailants fled. 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 before the learned Sessions Judge, Ferozepur, which was dismissed vide order dated 04.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is a delay of five days in reporting the matter to the police. It is a case of version and cross-version. The injuries on the person of the victim are self suffered only with a view to implicate the petitioner. A complaint had been lodged by his brother also and a DDR was registered on 18.06.2024. Infact, Durga is a victim at the hands of the complainant. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. As such, it is urged that, he deserves to be extended benefit of pre-arrest bail.

4. Notice of motion.

5. Learned Assistant Advocate General, Punjab, has advance notice of the petition and is ready to argue the matter. It is submitted by her that there are serious and specific allegations against the petitioner. He had caused one grievous injury on the person of the victim who had sustained ten injuries. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. Even otherwise, no extraordinary or exceptional circumstance for grant of anticipatory bail is made out in favour of the petitioner. It is, therefore, argued that the petition does



not deserve to be allowed.

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

7. 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 caused injuries on the left wrist as well as elbow of the victim-complainant. It cannot be determined at this stage, as to who was the aggressor. The allegations against the petitioner are specific in nature. For conducting a proper and thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is also well settled that the Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, 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

16th July, 2025

Parveen Sharma

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

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