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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.46060 of 2025
Date of decision: 22.08.2025

Billu Singh ... Petitioner
Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amitoj Singh Dhaliwal, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, 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
131	19.07.2025	Nihal Singh Wala, District Moga	118(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (118(2) of BNS added later on)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR has been registered on the basis of statement recorded by the complainant Babu Singh alleging that on the night of 15.07.2025, the petitioner along with his sons Baljinder Singh

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and Lakhbir Singh had come outside his house, made exhortations and then had assaulted him and caused injuries to him. The petitioner had struck blow with kirpan thereby causing injury on the forehead of the complainant whereas his sons had caused other injuries. After registration of FIR on the complaint of the complainant, 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, Moga vide order dated 08.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The co-accused has been extended benefit of pre arrest bail by the Court of learned Additional Sessions Judge. On parity, he too deserves to be extended the same benefit. He is a 88 year old person of feeble health. He is not even in a position to hold kirpan. There is delay of five days in reporting the matter to the police. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Ms. Sakshi Bakshi, AAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted that the petitioner along with the co-accused voluntarily caused simple as well as grievous

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injuries on the person of the complainant. The injury specifically attributed to the petitioner is grievous in nature. Keeping in view the gravity of the offence, the part attributed to him, the petitioner does not deserve to be given concession of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have caused injuries to the complainant. The injury that has been attributed to him, has been opined to be grievous in nature attracting the provisions of Section 118(2) of BNS. There are specific allegations against the petitioner. The case is at its nascent stage. For conducting proper probe, the custodial interrogation of the petitioner is must. Even otherwise, no exceptional and extraordinary ground for grant of pre arrest bail is made out in favour of the petitioner. Accordingly, this Court is of the opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

(MANISHA BATRA)

JUDGE

22.08.2025

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No