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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-49243-2025****Date of decision: 04.09.2025**

LAKHBIR SINGH @ MITHU BABA NIHANG

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHORPresent: Mr. Vishal Thakur, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

Mr. Aman Mittal, Advocate
for the complainant.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.69 dated 15.06.2025 registered at Police Station Daba, District Ludhiana, under Sections 115(2), 118(1), 332(c), 191(3), 190, 351(3) and 118(2) of BNS, 2023 (Section 118(2) of BNS, 2023 added later on).

2. The present case was registered on the basis of complaint given to the police by Rajpal s/o Harbans Lal with the allegations that he is a transporter and on 14.06.2025 at about 8:45 PM, his nephew Sukhwinder Pal was returning to house from Pamma Market on his Activa and when he reached near Jain's liquor shop, one auto rickshaw



being driven by one Jasvir Singh hit the Activa of his nephew and they got into an argument. Said Jasvir Singh called his brother Jagroop Singh and one unknown person and all of them caused injuries to his nephew and thereafter, his nephew returned to his house and narrated the incident to him. In the meanwhile, Nihang Mithu Baba (petitioner), Nihang Satta Baba and their relatives Nihang Shera and Nihang Jaspal Baba along with 4-5 other unknown persons came to their house. Jasvir Singh was armed with an iron gandasa, Jagroop Singh was armed with iron sword, Nihang Mithu Baba was armed with iron gandasa, Nihang Satta Baba was armed with iron sword and Nihang Shera was armed with stick while unknown persons were also armed with sticks and swords and they all started quarreling with them. Nihang Mithu Baba was known to him since a long time and he tried to counsel him, but it was of no help. In the meanwhile, his nephew Sukhwinder Pal and his elder brother Baldev Raj and one neighbour Shekhar also came there and tried to pacify them. Thereafter, Nihang Mithu Baba gave a gandasa blow towards his head and when he tried to defend himself by putting his left arm forward, the first blow hit on his wrist of the left arm and then he hit him with the gandasa towards his head and when he brought forward his left hand to protect himself, he hit his left bicep. Jagroop Singh gave iron sword blow towards his head, which hit him his forehead and he started bleeding. Nihag Satta Baba caused a blow with iron sword from its reverse side in the head of his son Gurjit Sharma and he also raised his right hand to



protect himself and the sword hit his elbow joint. Thereafter, Jasvir Singh gave three blows with gandas stick to his son Gurjit Sharma, which hit his back and wrist of his right arm. Jasvir Singh caused blow with gandas stick to his nephew Sukhwinder Pal on the ankle of his left leg and left arm and thereafter, they were taken to the hospital for treatment and he sought action against the assailants.

3. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. One of the co-accused namely Satnam Singh @ Nihang Satta Baba has already been released on ad-interim anticipatory bail by a Co-ordinate Bench of this Court vide order dated 12.08.2025 in CRM-M-42102-2025 (Annexure P-3). Petitioner is also ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour.

4. On the other hand, learned State counsel assisted by counsel for the complainant has opposed the bail and argued that the case of petitioner is different from that of co-accused Satnam Singh @ Nihang Satta Baba, who has been granted benefit of ad-interim anticipatory bail as only simple injuries were attributed to him, whereas petitioner had caused gandas blows on the person of the victim and the injuries have been declared to be grievous. The weapons of offence are yet to be recovered and custodial interrogation of the petitioner is thus required and he does not deserve concession of anticipatory bail.



5. The allegations against the petitioner are serious in nature. A minor quarrel had taken place between the nephew of the complainant and one Jasvir Singh when their vehicles collided on the road and thereafter, petitioner along with several persons came to the house of complainant armed with deadly weapons including gandasa, sword, lathis etc. and assaulted them. One of the victim namely Rajpal has suffered grievous injury, which has been caused with sharp weapon. The weapon of offence is yet to be recovered, for which custodial interrogation of the petitioner is essential. In case, petitioner is released on anticipatory bail, he may influence the investigation or even try to intimidate the witnesses.

6. Taking into consideration the gravity of offences and the fact that weapon of offence is yet to be recovered, petitioner does not deserve concession of anticipatory bail. Resultantly, the present petition is hereby dismissed.

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

(YASHVIR SINGH RATHOR)
JUDGE

04.09.2025
Priyanka Thakur

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No