

2025.PHHC.170625



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

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CRM-M-50907-2025 (O&M)

Date of decision: 08.12.2025

Jagdeep Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sahil Kumar, Advocate and
Mr. Gurmeet Singh, Advocate
For the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 23 dated 09.03.2025, registered under Sections 118(1), 118(2), 115(2), 191(3) and 190 of BNS, 2023 and Section 52-A of the Prisons Act, 1894 at Police Station Cantt. Bathinda, District Bathinda.

2. The aforementioned FIR has been registered on the basis of the statement recorded by complainant Gurpreet Singh alleging therein that on 05.03.2025, he was confined as a prisoner in Central Jail, Bathinda in connection with a murder case. At about 11:50 AM, he was talking to his family members in the PCO, when the present petitioner accompanied by co-accused Vishal @ Nepali opened an attack upon him. The petitioner struck a blow with an iron strip, which he was carrying in his hand, thereby injuring

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backside of his head. Co-accused Ritandeep Singh @ Ratan, Tarun Kumar and Khushpreet Singh also caused injuries to him. On clamour being raised by him, the jail officials reached at the spot and seized the weapons of the assailants. The motive of the assault was that the petitioner and co-accused had taken belongings of the complainant and were not returning the same on his asking. After registration of the FIR, investigation proceedings have been initiated and are underway. The petitioner, who was granted bail in the case qua which he was confined in jail, had absconded. Apprehending his arrest in this case, he had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Bathinda but the same had been dismissed, vide order dated 04.09.2025.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. There is delay of four days in lodging of the FIR, which has not been explained. No recovery is to be effected from him. He is ready to join the investigation. No useful purpose would be served by detaining him into custody as his custodial interrogation is not required. The offences alleged against him are triable by Magistrate. The injury attributed to him has been opined to be simple in nature. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that in fact the petitioner, by forming membership of an unlawful assembly with the co-accused, had caused simple as well as grievous injuries to the complainant. The injury, which has been attributed to him, is grievous in nature but has incorrectly

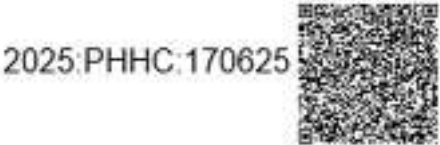
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been mentioned in Annexure R-1 as simple one. The petitioner is a habitual offender being involved in a murder case. His custodial interrogation is required for proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common objection thereof, is alleged to have voluntarily caused simple as well as grievous injuries to the complainant as on 05.03.2025. The FIR has been lodged after a gap of four days. The offences allegedly committed by the petitioner are triable by the Magistrate. Given the nature of the allegations, the pre-trial incarceration of the petitioner is not required. Neither any recovery is to be effected from him. As such, this Court is of the considered opinion that no useful purpose would be served by detaining him in custody and a case for grant of concession of anticipatory bail has been made out in his favour. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.



7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

08.12.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>