

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

2025:PHHC:149617



212

CRM-M-50839-2025

Date of decision:29.10.2025

Gurpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kamal Narula, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Durlabhjeet Singh Sandhu, Advocate for respondent.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.171, dated 22.11.2024, under Sections 333, 115(2), 118(1), 191(3), 190, 351(2), 351(3) of BNS (offence under Sections 117(2) and 118(2) of the BNS were added later on), registered at Police Station City Fazilka, District Fazilka.

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by complainant Shivam alleging therein that on the intervening night of 18/19.11.2024, a function qua marriage of his cousin brother was taking place at Sanjeev Palace, Fazilka. Accused Sanjay Kumar, who was in a drunken condition had started eve-teasing the girls dancing there and had started dancing with them. When his act was objected to, he

had started foul mouthing and manhandling the persons present there and then he was turned out of the venue. On the night of 19.11.2024, he along with the co-ccused Azad and 5-6 unknown youths entered inside the house of his aunt and opened an assault upon the complainant and other persons. The complainant and others sustained simple as well as grievous injuries. 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 which was dismissed by the Court of learned Additional Sessions Judge, Fazilka vide order dated 18.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of three days in lodging of the FIR which has created a dent over the truthfulness of the prosecution story. He was not named in the FIR. No specific role had been attributed to him. He was nominated as an accused only because of his being a friend of co-accused Sanjay Kumar and Azad. No specific overt act has been attributed to him. He is ready to join the investigation. Co-accused Azad has been extended benefit of pre arrest bail. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is argued that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that keeping in view the gravity of allegations levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. The petitioner by forming an unlawful assembly with the co-

accused and in prosecution of common object thereof, is alleged to have assaulted the complainant and other victims, who sustained simple as well as grievous injuries. However, the petitioner was not named in the FIR, nor any specific injury has been attributed to him. As per the prosecution case, he was shown in the CCTV footage while carrying a *kapa*. However, there is nothing on record to show that he had used the same and caused any specific injury to any victims. Given the nature of the allegations, pre-trial incarceration of the petitioner is not required and a case is made out for grant of pre-arrest bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to the condition that the petitioner shall surrender before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

7. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

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

(MANISHA BATRA)
JUDGE

29.10.2025

harjeet

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