

CRM-M-54249-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-54249-2025  
Reserved on: 01.10.2025  
Pronounced on: 28.10.2025

Tanpreet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Naresh Gopal Sharma, Advocate  
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Gopal Singh Nahel, Advocate  
for the complainant.

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ANOOP CHITKARA, J.

| GD No. | Dated      | Police Station             | Sections                                                   |
|--------|------------|----------------------------|------------------------------------------------------------|
| 29     | 30.07.2025 | Maloud, District<br>Khanna | 126(2), 115(2), 118(1),<br>351(2), 191(3), 190 BNS<br>2023 |

IN

| FIR No. | Dated      | Police Station             | Sections                                                                   |
|---------|------------|----------------------------|----------------------------------------------------------------------------|
| 67      | 27.07.2025 | Maloud, District<br>Khanna | 115(2), 351(2), 125, 324(4),<br>191(3), 190 BNS 2023 and 27<br>of Arms Act |

1. The petitioner apprehending arrest in the case captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 12 of the bail petition, the petitioner declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

*“2. That the brief facts of the case are that the cross-case in DDR no.29 dated 30-07-2025, U/s 126 (2), 115 (2), 118 (1), 351 (2), 191 (3), 190 BNS (section 118 (2) BNS Added later on) in FIR no.67 dated 27-07-2025, was*

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*registered on the basis of statement of complainant Manpreet Singh, recorded on 30-07-2025, to the effect that;*

*(i) On 26.07.2025, the complainant Manpreet Singh was present at his house at about 09:15 P.M., when he received a phone call from Jaswinder Singh @ Babbu on his mobile number 9814904500, who informed the complainant that on that day Jaswinder Singh along with his wife Pardeep Kaur and son Gurfateh Singh had gone to Malerkotla in his Creta car bearing registration No. PB-10-JE-4500 for personal work. While, Jaswinder Singh @ Babbu was returning from Malerkotla, near Pandher Palace on Ludhiana Road, Malerkotla, a black Scorpio car bearing registration No. PB-10-JX-4747 driven by Satwinder Singh @ Babbu, in which Vikramjit Singh @ Vicky was sitting on the front seat and Tanpreet Singh (present petitioner) was sitting on the back seat, intercepted and moved their car alternately ahead and behind his Creta. Out of fear, Jaswinder Singh @ Babbu did not give them side. Jaswinder Singh then asked the complainant Manpreet Singh to come to his office, fearing that the aforesaid persons might damage his office.*

*(ii) At about 09:30 P.M., the complainant Manpreet Singh reached the office at Maloud. After about 10 minutes, Jaswinder Singh @ Babbu also reached the office in his Fortuner car bearing registration No. PB-11-AX-1737. At that time, Jaswinder Singh @ Babbu received a phone call from an unknown number. The caller introduced himself as Kulwinder Singh son of Major Singh, resident of village Sekha, Police Station Maloud, District Ludhiana, presently residing in Canada. The caller stated that Satwinder Singh @ Babbu was his younger brother. Kulwinder Singh further threatened Jaswinder Singh @ Babbu that he should withdraw the case pending against Tanpreet Singh (present petitioner), otherwise he would have to face serious consequences. Kulwinder Singh further threatened that his men were standing near the playground of Rodia School and challenged that if Jaswinder Singh had the courage, he should come and see them.*

*(iii) Thereafter, the complainant Manpreet Singh and Jaswinder Singh @Babbu came out of the office and looked towards the playground of Rodia School, but they did not see anyone there. Later, after completing shop work, Jaswinder Singh @ Babbu started to drop the complainant Manpreet Singh to his village Lehal in his Fortuner car. While they were moving towards Rodia School and had covered about 150 yards, at about 11:00 P.M., suddenly, a silver coloured, Toyota Corolla car bearing*

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registration No. PB-63-C-0003 came and blocked their way. From the said silver Creta Corolla car, Vikramjit Singh @ Vicky armed with a baseball bat; Satwinder Singh @ Babbu armed with a kirpan; Kalveer Singh @ Kala armed with a hockey stick; Tanpreet Singh @ Mani (present petitioner) armed with a gandas; and one unidentified person, who was empty-handed, alighted. Satwinder Singh @ Babbu raised a lalkara that they would teach the complainant and Jaswinder Singh a lesson for having a dispute with them. They forcibly opened the car doors and pulled both the complainant and Jaswinder Singh out.

(iv) The complainant further stated that thereafter, Satwinder Singh @Babbu gave a blow with his kirpan towards the complainant Manpreet Singh. To protect himself, the complainant Manpreet Singh raised his right hand, as a result of which the kirpan blow landed on his right hand. Thereafter, Tanpreet Singh @ Mani (present petitioner) struck the complainant with the reverse side of his gandas, which hit the complainant on his right shoulder. Then, Kalveer Singh @ Kala inflicted a blow with his hockey stick on the back of Manpreet Singh, and the unidentified person pushed the complainant to the ground. The complainant raised an alarm. When Jaswinder Singh @ Babbu tried to rescue the complainant Manpreet Singh, Vikramjit Singh @ Vicky struck him on his left shoulder with the baseball bat. Both the complainant Manpreet Singh and Jaswinder Singh raised a hue and cry.

(v) The complainant further stated that at that stage, Harsimran Singh and Mehadin reached the spot and with great difficulty rescued the complainant Manpreet Singh and Jaswinder Singh from the assailants. While leaving, the assailants, carrying their weapons, threatened to kill the complainant and Jaswinder Singh, and fled away in their vehicle.

(vi) The complainant further stated that thereafter, Harsimran Singh and Mehadin took the complainant Manpreet Singh and Jaswinder Singh @ Babbu in a car to Civil Hospital, Maloud. Since no doctor was available there, they were taken to Civil Hospital, Payal, but again no doctor was available. They were then shifted to Civil Hospital, Khanna, where the doctor said that it was not within their jurisdiction and advised them to get admitted at Civil Hospital, Maloud. Finally, they reached Civil Hospital, Maloud, where Jaswinder Singh @ Babbu obtained preliminary treatment but did not get admitted, whereas the complainant Manpreet Singh was admitted.

(vii) Thereafter, on 28.07.2025, the complainant Manpreet Singh was

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*referred by the doctor to Civil Hospital, Ludhiana, and on 29.07.2025, after getting plaster and X-ray of his right hand done, he returned to Civil Hospital, Maloud, where he remained under treatment.*

*(viii) The complainant stated the motive behind the incident was that Tanpreet Singh @ Mani (present petitioner) had borrowed Rs. 13.5 lakhs from Jaswinder Singh @ Babbu, which he had not repaid, and a case regarding the same is pending before the Court at Payal. Further, earlier there had been a quarrel between Satwinder Singh @ Babbu and Jaswinder Singh @ Babbu. Due to this enmity, all the aforesaid accused persons, in connivance with each other, assaulted the complainant Manpreet Singh and Jaswinder Singh.”*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this case, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel as well as counsel for the complainant oppose the bail.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

***“G. The evidence against the petitioner:***

*That the complainant Manpreet Singh has consistently named the petitioner in his statement. Further, the petitioner failed to produce the gandasas during the investigation and caused disappearance of weapon, which led to addition of section 238 BNS.*

***H. The role of the petitioner:***

*That the role of the petitioner is specific and direct. He was part of the unlawful assembly armed with deadly weapons. He assaulted the complainant Manpreet Singh with the gandasas and also participated in the overall assault along with co-accused. He further attempted to shield himself by causing disappearance of the weapon used.*

**REASONING:**

7. Allegations against the petitioner are that he being member of unlawful assembly,

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participated in the assault activities with deadly weapons. However, no serious injury was attributed to the petitioner, as such this Court deems it appropriate to grant one opportunity to course correct and mend his ways.

8. The law of bail, like any other branch of law, has its own philosophy, and occupies an important place in the administration of justice and the concept of bail emerges from the conflict between the police power to restrict liberty of a man who is alleged to have committed a crime, and presumption of innocence in favour of the alleged criminal.<sup>1</sup>Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.<sup>2</sup> Personal liberty deprived when bail is refused, is too precious a value of our constitutional system recognised under Art. 21 that the curial power to negate it is a great trust exercisable, not casually, but judicially with lively concern for the cost to the individual and the community.<sup>3</sup>

9. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

10. Given the above, the penal provisions invoked coupled with the primafacie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage.

11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

**CONDITIONS:**

12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

|    |                                             |  |
|----|---------------------------------------------|--|
| 1. | AADHAR number                               |  |
| 2. | Passport number (If available) and when the |  |

<sup>1</sup> Supreme Court of India in Vaman Narain Ghiya v. state of Rajasthan, [E-SCR] ; [2008] 17 SCR 369, Para 16, decided on 12.12.2008.  
<sup>2</sup> Supreme Court of India in Siddharam Satlingappa Mhetre v. State of Maharashtra, SC 2J [E-SCR], Paragraph 127, decided on 02.12.2010.  
<sup>3</sup> Supreme Court of India in Babu Singh & ors v. State of UP, [E-SCR] P. 777, decided on 31.01.1978.

|    |                                                                                          |  |
|----|------------------------------------------------------------------------------------------|--|
|    | attesting officer/court considers it appropriate or considers the accused a flight risk. |  |
| 3. | Mobile number (If available)                                                             |  |
| 4. | E-Mail id (If available)                                                                 |  |

14. This order is subject to the petitioner’s complying with the following terms. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

16. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this case, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

17. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner’s behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

18. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this case, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

19. Any observation made hereinabove is neither an expression of opinion on the

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case's merits nor shall the trial Court advert to these comments.

20. It is clarified that this bail order shall not be considered as a blanket bail order in any other matter and is only limited to granting bail in the FIR mentioned above.

21. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Appellant-Accused can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

22. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

28.10.2025  
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Whether speaking/reasoned: Yes  
Whether reportable: No.