

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

216

CRM-M-60247-2025

Date of decision: 2nd December, 2025

Jagjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

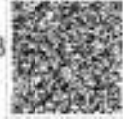
CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lakshay Bector, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing DDR No. 20 dated 18.03.2025 registered under Sections 118(1) and 118(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered as cross case in case FIR No. 26 dated 14.03.2025 registered under Sections 115(2), 118(1), 305, 324(4), 351, 191(3) and 190 of BNS at Police Station City Division No.3, District Ludhiana.

2. The aforementioned FIR was registered on the basis of statement recorded by Subegh Singh alleging that the accused Karan owed a sum of Rs. 1500/- to him. On 13.03.2025, Karan was called by the complainant in his office and was asked to return money borrowed by him. That time, Karan had left the office, but after some time, he accompanied by the other co-accused had reached there again, had opened an assault upon him and had caused injuries. The complainant alleged that in self defence, he had also taken out his sword. He was rescued by his driver. After registration



of FIR, investigation proceedings were initiated. Then, on 18.03.2025, Harnek Singh, member of the party of the accused Karan got recorded his statement; on the basis of which DDR No. 20 was entered and a cross case was registered. The petitioner was nominated as an accused. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Ludhiana, which was dismissed vide order dated 25.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross-version. An FIR had already been got registered on the basis of complaint lodged by Subeg Singh against the complainant and his accomplices which was well prior to the registration of the DDR in question. The injury which has been attributed to him has been opined to be simple in nature. The allegations do not make out any case for commission of offence punishable under Section 118(2) of BNS against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. The subject offences are triable by Magistrate. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learned State counsel has vehemently argued that there are specific and serious allegations against the petitioner who by forming membership of an unlawful assembly and in prosecution of common object thereof, had assaulted the victim and had voluntarily caused simple as well as grievous injuries to them. No extraordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of bail to the petitioner. Therefore, it is urged that the petition does not deserve to be allowed.



5. This Court has heard learned counsel for the parties at considerable length.
6. The role that has been attributed to the petitioner is of causing an injury with iron rod on the shoulder of victim Karan. This injury has been opined to be simple in nature. This is a case of version and cross-version. The DDR has been registered after a gap of five days from the date of occurrence. Taking into consideration the above discussed facts, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. As such, the petition is allowed and the petitioner is ordered to be admitted on bail. The petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within ten days from today and subsequent also as and when required. 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 join investigation.
7. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.
8. Since the main petition has been allowed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd December, 2025
Parveen Sharma

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |