

2025:PHHC:005448



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

319+320

1. CRM-M No.63540 of 2024

Sarabjeet Singh @ Sahib ... Petitioner
Vs.
State of Punjab ... Respondent

2. CRM-M No.64762 of 2024

Saurav @ Sourab @ Chathu ... Petitioner
Vs.
State of Punjab ... Respondent

Date of decision: 15.01.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Angad Parmar, Advocate,
for the petitioner in CRM-M No.63540 of 2024.

Mr. Rakesh Kumar, Advocate,
for the petitioner in CRM-M No.64762 of 2024.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

Mr. Avichal Sharma, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. This common order of mine shall dispose of CRM-M
No.63540 of 2024 titled as *Sarabjeet Singh @ Sahib v. State of Punjab &*
CRM-M No.64762 of 2024 titled as *Saurav @ Sourab @ Chathu v. State*

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of Punjab. First petition bearing CRM-M No.63540 of 2024 is for grant of anticipatory bail as filed by the petitioner-Sarabjeet Singh @ Sahib whereas CRM-M No.64762 of 2024 is the second petition for grant of anticipatory bail as filed by the petitioner-Saurav @ Sourab @ Chathu. His first petition was dismissed as withdrawn.

2. The present petitions have been filed by the petitioners under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
170	17.09.2020	Division 1, District Police Commissionerate Jalandhar	307, 148, 149 and 120-B of IPC (201 of IPC added later on)

3. Brief facts relevant for the purpose of disposal of the present petitions are that the aforementioned FIR had been registered on complaint lodged by Manu @ Billa alleging therein that on 16.09.2020 at about 10:30 PM he was present outside his house along with his father, one Ravi Sahota and some other persons and were having conversation with each other when the petitioners armed with datar and the co-accused who were also armed with weapons reached there on motorbikes. They raised lalkaras by saying that the complainant and his companion should not be spared and should be taught a lesson and thereafter they opened an attack upon the father of the complainant. Ravi Sahota and the other persons who were present therein managed to flee. The petitioners and

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the co-accused caused injuries on the person of the father of the complainant and himself. The petitioners struck blows with the reverse side of datar on the back of the complainant and his father. The assailants also extended beatings to them and then fled from the spot. After registration of FIR, investigation proceedings have been initiated and are underway.

4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. The injuries attributed to them have not been opined to be dangerous to life. A compromise has been arrived at between the parties and has been executed in writing. The complainant has no objection if the petitioners are extended benefit of pre arrest bail. Even otherwise their custodial interrogation is not required. No recovery is to be effected from them. They are ready to join the investigation. Therefore, it is urged that they deserve to be extended benefit of anticipatory bail.

5. Status report has already been filed by the respondent-State. It is submitted therein and learned Senior Deputy Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioners by forming membership of an unlawful assembly with the co-accused. They had opened murderous assault upon the complainant and his father and caused serious injuries to them. The injuries sustained by the father of the

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complainant had been opined to be dangerous to life. The custodial interrogation of the petitioners is required for conducting thorough investigation in the matter by the police. Hence, it is argued that the petitions do not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record.

7. The petitioners are alleged to have formed membership of unlawful assembly with the co-accused and in prosecution of common object of that assembly, are alleged to have caused injuries with the blunt side of a datar on the back of complainant and his father. The injuries as attributed to them have not been opined to be grievous or dangerous to life. A compromise is stated to have been arrived at between the parties. A written compromise has been placed on record. The authenticity of the same cannot be considered at this stage and the same has to be looked into by the learned trial Court by thorough assessment and evaluation of the evidence to be produced before it. However, keeping in view the nature of the acts attributed to the petitioners and the attendant facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudice the trial, I am of the considered opinion that the petitioners deserve to be extended benefit of anticipatory bail. Accordingly, the petitions are allowed and the petitioners Sarabjeet Singh @ Sahib and Saurav @ Sourab @ Chathu are directed to appear

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before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on bail on furnishing personal/surety bonds to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482(2) of BNSS.

15.01.2025	(MANISHA BATRA)
manju	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No