



CRM-M-63172 of 2025

-1-

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

116

CRM-M-63172 of 2025

Date of Decision: 11.11.2025

Jaspal Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Puneet Sharma, Advocate
for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.158 dated 10.09.2025 registered under Sections 115(2), 118(1), 126(2), 351(2), 351(3), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (Sections 118(2) and 117(2) of the BNS added later on), at Police Station Dirba, District Sangrur.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused had caused injuries to the complainant and one Amrinder Singh, due to some old enmity.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case just because he is friend of co-accused Lakhwinder Singh, who was having an old property dispute with

**CRM-M-63172 of 2025****-2-**

the complainant. He argued that real name of the petitioner is Jaspal Singh and that specific name was not referred in the FIR. He argued that as per the prosecution, it is alleged that the petitioner was armed with sword and inflicted injury on the head of Amrinder Singh-victim, which was declared to be grievous in nature but there is neither any CCTV footage nor any independent witness pertaining to the alleged occurrence. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Sangrur, vide order dated 08.10.2025.

5. Notice of motion.

6. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner has been specifically named in the FIR by his nick name. He argued that the petitioner was armed with sword and along with other co-accused attacked the complainant and Amrinder Singh-victim and inflicted injuries. He further argued that the head injury upon Amrinder Singh with sword is specifically attributed to the present petitioner, which is declared to be grievous in nature. He further submits that the



CRM-M-63172 of 2025

-3-

custodial interrogation of the petitioner is required for fair and proper investigation in the matter and the weapon of offence is yet to be recovered. Hence, he prays for dismissal of the petition.

7. Heard.

8. In the present case, the petitioner is specifically named in the FIR by his nick name and the allegations against him are specific and serious in nature. He is alleged to have inflicted head injury upon the victim-Amrinder Singh with sword and the same declared grievous in nature and the weapon of offence is yet to be recovered. The Court is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '*State Vs. Anil Sharma*', (1997) 7 SCC 187, wherein it has been held as under:



CRM-M-63172 of 2025

-4-

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Thus, the present petition being devoid of merits is hereby dismissed.

11. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

11.11.2025

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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