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

CRM-M-67619-2025

Date of Decision: 02.12.2025

BHUPINDER SINGH @ JEEWAN

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.0073, dated 21.06.2025 registered at Police Station Sekhwan Police, District Batala, District Grudaspur (Annexure P-1), under Sections 333, 118(1), 115(2), 191(3) & 190 BNS, 2023 (Section 238 of BNS, 2023 added subsequently).

2. Notice of motion.

3. Mr. Ajit Pal Singh, Addl AG, Punjab and Mr. Jatinder Pal Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. Both the parties have been heard and material on file has been perused.

4. The present case was registered on the basis of the statement given to the police by Bashir Masih with the allegations that on 19.06.2025, Lovepreet Singh, Prince Masih and Sahil Masih, along with some other boys, were fighting with some other boys after one fair at the Peer Dargah Baba Badhar Shah was over. He, along with one Akash



Masih, asked them not to fight, as a result of which Lovepreet Singh got angry and threatened to teach him a lesson. Thereafter, they returned to their houses. During the night, at about 9.15 pm, Lovepreet Singh, armed with a dattar, Jeevan Singh (petitioner) armed with a dattar, Sarbjit Singh armed with an iron rod, Nirmal Singh empty-handed, Sahil Masih armed with a dattar, Prince Masih armed with a dattar, Rajbir Singh armed with a dattar, Heera armed with a spade handle, Franco armed with a spade handle, Rahul armed with a stick, Inderjeet Singh armed with a stick, all residents of Massania, along with 9–10 unidentified persons armed with weapons, entered his house. Nirmal Singh raised a lalkara and exhorted the others to catch hold of him and to teach him a lesson. Thereafter, Lovepreet Singh gave two dattar blows from the sharp side on his head and another with the reverse side on the left side of the head. Jeevan Singh gave a dattar blow with its reverse side on the left side of his head. Prince gave two dattar blows from the sharp side on the left side of his head and one from the reverse side on his head. Sarbjit Singh gave an iron rod blow on the back side of his head, while Sahil gave a blow with the reverse side on his head. Thereafter, Rajbir gave a dattar blow from the reverse side on the back side of his head, on which he fell down. When he fell down, accused Franco gave a spade handle blow on his waist, Heera gave a spade handle blow on his right arm and Inderjit Singh gave a stick blow on his left arm. Thereafter, his grandson rescued him and the accused attacked him also and caused injuries to him. Thereafter, his nephew Yunis Masih also came there and thereafter the accused ran away from the spot along with their weapons.

5. Learned counsel for the petitioner contended that the petitioner



has been falsely implicated in the present case only because his family has good terms with the family of the main accused, Lovepreet Singh and they belong to the same village. Only one simple injury is attributed to the applicant. Learned counsel further contended that the petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and that the benefit of anticipatory bail be extended in his favour.

6. On the other hand, learned State counsel has opposed the bail and argued that the petitioner has committed a heinous offence and the victim has been brutally assaulted and he has suffered 11 injuries in all and all the accused, including the petitioner, had committed trespass in his house and assaulted him in prosecution of their common object. The dattar in question, with which the injuries were caused, is yet to be recovered, for which his custodial interrogation is essential and the petitioner does not deserve the concession of anticipatory bail.

7. It is well settled that the power to grant anticipatory bail is of extra-ordinary nature and is to be sparingly used with circumspection as held in 2022 (4) RCR (Criminal) 968 titled as **"Sachin @ Sachin Ahuja Vs. State of Punjab"**. In SLP (Crl.) 7940 2023 titled as **"Shri Kant Upadhyay Vs. State of Bihar"**, Hon'ble Apex Court has held that grant of interim protection or protection from arrest to an accused in a serious case may lead to miscarriage of justice and may hamper investigation to a great extent as it may sometimes lead to tampering or destruction of evidence. The court is cognizant of the fact that power of anticipatory bail is to be exercised in exceptional circumstances as it may cause some hindrance to normal flow of investigation which would undermine the case of the prosecution.



8. The allegations against the petitioner are serious in nature. No doubt, one simple injury from the reverse side of the dattar is attributed to him, but the victim has been brutally assaulted by a number of persons and he has suffered 11 injuries in all and most of the injuries have been caused on his head. The weapon of offence is yet to be recovered. The investigation is at the initial stage and as such, custodial interrogation of the petitioner is essential to recover the weapon of offence. In case the petitioner is interrogated under the protective umbrella of the order of this Court, he will not answer the questions in the right earnest. Rather, the grant of ad-interim bail will hamper the investigation and taking into consideration the gravity of the offence, the petitioner does not deserve the concession of anticipatory bail and resultantly, the bail application is dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

02.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No