



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

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CRM-M-67881-2025 (O&M)
Date of decision: 03.12.2025

**SUKHWINDER SINGH @ BABLI @ SUKHWINDER SINGH GREWAL
AND ORS.**

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Vivek Singla, Advocate
for the petitioners.

YASHVIR SINGH RATHOR. J.(Oral)

1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0126 dated 20.08.2025 registered at Police Station Barnala (Annexure P-1), under Sections 303(2), 351(2), 324(4) of BNS, 2023.
2. Notice of motion. Mr. Jatinder Pal Singh, Sr. DAG, Punjab, has appeared and accepted notice on behalf of the State.
3. I have heard learned counsel for the parties and material on file has been perused.
4. The present case was registered on the basis of complaint given to the police by Rajinder Singh with the allegations that his son-in-law Sukhcharan Singh resident of Village Handiaya, resides in Australia, own 5 acres of land and he is managing the said land. Sukhwinder Singh @ Babli (petitioner), who is also his son-in-law obstructs him from irrigating the land and on 11.05.2024, Gurmeet Singh father of Sukhcharan Singh had given a complaint to the police but the



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matter was compromised. One complaint was also sent by Sukhcharan Singh from Australia on 05.07.2024. Sukhwinder Singh (petitioner) removed the motor, starter and cable of the tubewell as a result of which Sukhcharan Singh suffered loss to the extent of Rs.3-4 lakhs and a complaint was again given to the police but the dispute was settled. On 09.06.2025, at 7:00 P.M., he went to the fields to start the motor, where he saw Sukhwinder Singh (petitioner) along with Bhupinder Singh, Lakhwinder Singh and two unknown persons along with tractor carrying a lifting frame for removing the motor. They were removing the motor and when they saw him, they started abusing and threatened to kill him. He got frightened and he ran away from there. On the next day, motor, delivery pipe, cable wire and starter were found missing and accused had also damaged the bore of Sukhcharan Singh by throwing bricks into it. Sukhcharan Singh thus suffered loss to the extent of Rs.15-20 lakhs and due to these acts of the accused, no one is taking land of Sukhcharan Singh on lease. Thereafter, he sought action against the culprits.

5. Learned counsel for the petitioner contended that petitioner No.1 is the son-in-law of the complainant and a matrimonial dispute is going on between him and his wife and the present FIR has been got registered as a counter-blast just to settle the scores and no such offence was committed by him. Learned counsel for the petitioner submits that he is ready to join the investigation and he shall abide by the conditions that may be imposed by the Court and he may be released on anticipatory bail.

6. On the other hand learned State Counsel has opposed the bail and argued that petitioner has committed a heinous offence and he is time and again damaging the tubewell and motor of Sukhcharan Singh, who is his co-brother and



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has caused him loss to the extent of Rs.15-20 lakhs. The motor, cable, pipes etc. are yet to be recovered for which custodial interrogation of the petitioner is essential and he does not deserve the concession of anticipatory bail.

7. It is well settled that the power to grant anticipatory bail is of extraordinary 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, who is time and again interfering in the management of the land owned by Sukhcharan Singh and has removed motor on two occasions and now, he has not only removed the motor but has removed the delivery pipes, cable wire, starter and has also damaged the bore by throwing bricks into it. The stolen articles are yet to be recovered for which custodial interrogation of the petitioner is essential. Rather, grant of anticipatory bail will hamper the investigation at initial stage and he does not deserve the concession of anticipatory bail.

9. Taking into consideration the gravity of the offence and the facts



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noticed hereinabove, I am of the opinion that petitioner does not deserve to be released on anticipatory bail and the present petition is hereby dismissed.

03.12.2025
Vishal Vardhan

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No