



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

**CRM-M-69409-2025
Date of decision: 09.12.2025**

MOHD. AMZAD ALIAS AMJAD

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Mohd. Yousaf, 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 to the petitioner in case FIR No.227 dated 16.09.2025, under Sections 115(2), 118(1), 126(2), 3(5) of BNS, 2023 (offence under Section 118(2) and 238 of BNS added later on) registered at Police Station City 1 Malerkotla, District Malerkotla.

2. Notice of motion. Mr. Jatinder Pal Singh, Sr. DAG, Punjab, accepts notice on behalf of the State. Both the parties have been heard and material collected by the police during investigation has been perused.

3. The present case was registered on the basis of statement given to the police by Mohd. Haroon with the allegations that on 15.09.2025, he alongwith his friend Mohammad Mustafa was going to his relative's house on his motorcycle. When they reached near Akbari Masjid, Adil Khan, Mohammad Amzad and their father Mohammad



Anwar surrounded them and started abusing and beating them. Adil Khan gave iron knife blow on his left wrist. Mohammad Amzad and Mohammad Anwar gave severe beatings to both of them and threw them on the road. Thereafter, Mohammad Anwar gave a baseball bat blow on his back and Adil Khan caused knife blow injury on the bicep of right arm of his friend Mohammad Mustafa. They cried for help and on seeing, the people gathering at the spot, all the assailants ran away alongwith their weapons. He alleged that the reason for assault was that he had lodged a complaint before the police against the abovesaid persons on behalf of his friend Mohammad Shahid and they are nursing a grudge against him.

4. Learned counsel for the petitioner contended that there are vague allegations against the petitioner. No specific injury is attributed to him. There is a delay of one day in lodging the FIR and a tutored version has been put forward while lodging the complaint by implicating the entire family. Learned counsel for the petitioner next contended that petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour.

5. On the other hand, learned State counsel has opposed the bail and argued that all the accused in furtherance of their common intention had assaulted the complainant and his friend. Main accused namely Adil Khan caused knife blow injury to the complainant as well as to Mohammad Mustafa and injury no.1 on the person of complainant has



been declared as grievous. In view of gravity of the offence, the petitioner does not deserve the concession of anticipatory bail.

6. 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.

7. The allegations against the petitioner are serious in nature. He alongwith co-accused Adil Khan and his father Mohammad Anwar assaulted the complainant and his friend Mohammad Mustafa while armed with knife, baseball bat etc. Co-accused Adil Khan gave knife blow injury on the left wrist of the complainant which has been declared as grievous in nature and he also gave another knife blow on the bicep of the right arm of Mohammad Mustafa. The petitioner alongwith his father had also caused injuries to both of them. His father was armed with a baseball bat at the time of incident. Investigation is at initial stage and in view of the gravity of offence, petitioner is not entitled for anticipatory bail and accordingly, the present petition is hereby dismissed.



9. Pending misc. application (s), if any, shall also stand disposed of.

09.12.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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