



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

104

CRM-M-72783-2025

Date of Decision: 23.12.2025

SUKHDEV SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") by the petitioner seeking grant of anticipatory bail in a case arising out of FIR No.234 dated 01.07.2022, registered under Sections 324, 323, 506 and 34 of the Indian Penal Code, 1860 (the offence under Section 326 IPC having been added subsequently), at Police Station City Faridkot, District Faridkot.
2. The aforementioned FIR was registered on the basis of the statement of complainant-Amarjit Singh @ Kala, alleging that on 30.06.2022, the petitioner along with co-accused trespassed into his house and assaulted him and his family members. It was alleged that the petitioner struck blows with an axe, causing injuries to the complainant on his thumb, little finger of his right hand and the left side of his head. The co-accused had also assaulted the other family members. On clamour being raised, the petitioner and his co-accused fled from the spot.
3. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for



grant of anticipatory bail, which has been dismissed by the learned Additional Sessions Judge, Faridkot, vide order dated 05.12.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case due to a dispute regarding a house. It is submitted that the matter involves version and cross-version as DDR No.34 dated 03.07.2022 was registered based on the statement of the petitioner's son, who also sustained injuries at the hands of the complainant's party during the same incident. Civil litigation is also pending between the parties, and the FIR has been lodged as a counterblast to the same. It is further submitted that the injuries attributed to the petitioner have been opined to be simple in nature. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

5. Notice of motion.

6. Learned State counsel has advance notice of the petition and is ready to argue the matter. She submits that the allegations against the petitioner are serious. The petitioner is alleged to have caused injuries to complainant-Amarjit Singh @ Kala, which have been opined to be grievous in nature with a sharp-edged weapon. The offence under Section 326 of IPC has been added. For conducting proper investigation, custodial interrogation of the petitioner is required. No exceptional circumstances for grant of anticipatory bail are made out. It is, therefore, urged that the petition deserves to be dismissed.

7. I have heard rival submissions made by learned counsel for the parties.

8. The petitioner along with the co-accused is alleged to have voluntarily caused simple as well as grievous injuries to the complainant and



other victims. The grievous injury on the person of victim Amarjit Singh has been attributed to the petitioner. The allegations levelled against him are quite serious. Even otherwise, no exceptional or extraordinary circumstance has been made out in his favour for grant of anticipatory bail. In fact, his custodial interrogation is required for conducting thorough investigation in the matter. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. It has also to be seen that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Keeping in view the discussion as made above, this Court is of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out. Accordingly, the petition is dismissed.

9. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

23.12.2025

Nisha-I

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No