



CRM-M-73073-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-73073-2025
Decided on: 23.12.2025

Jagtej Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

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

Mr. Vinay Malhotra, DAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Present second anticipatory bail petition has filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), for grant of bail to the petitioner, who has been booked in a criminal case arising out of FIR No.77, dated 28.05.2025, under Sections 109, 351(2), 351(3), 191(3), 190 of B.N.S read with Section 25, 27, 54, 59 of Arms Act, registered at Police Station Adampur, Jalandhar.

2. First anticipatory bail petition filed by the petitioner was dismissed vide order dated 04.11.2025 passed in CRM-M-55700-2025 (Annexure P-4), and the order reads as under:-

*“Present: Mr. Simranjeet Singh Sidhu, Advocate,
for the petitioner.*

Mr. Neeraj Madaan, Sr. DAG, Punjab.

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in case, FIR No.077, dated 28.05.2025, under Sections 109, 351(2), 351(3), 191(3), 196 of BNS and section 25 of



Arms Act, registered at Police Station Adampur, District Jalandhar.

2. *As per the case of prosecution, a fight, including firing of shots from the both sides, took place between members of two rival groups. From the CCTV footage collected by the investigating agency, petitioner was observed in possession of an unlicensed pistol and, as per the role attributed to him, is alleged to have fired a shot that caused grievous injury to the victim, namely Ankush Tiwari.*

3. *Learned counsel for the petitioner contends that other co accused persons, who are also members of the same group, have already been granted the concession of anticipatory bail by the Court below, and therefore, the same relief should be extended to the present petitioner as well.*

However, a perusal of paragraph No.6 of the order dated 10.07.2025 passed by learned Sessions Judge, Jalandhar, reveals that co accused Tejinder Singh Cheema, Sohan Singh @ Sandip @ Shaunki, and Ranjit Singh @ Bunty were found present at the spot, but none of them was attributed any role in causing injury to anyone. Consequently, upon their joining of investigation and considering their limited role, concession of anticipatory bail was granted to them.

4. *This Court, however, finds that petitioner has played an active role in the occurrence, which is also clearly reflected in the CCTV footage. His actions amount to disrupting public peace and order, and such conduct does not merit the discretionary relief of anticipatory bail, as granting the same would send a wrong message to society. Therefore, this Court finds no substantial ground to extend the concession of anticipatory bail to the petitioner. Accordingly, present petition stands **dismissed**.”*

3. Earlier the petition was dismissed by taking into consideration for separate parameters i.e. “(i) *playing of active role in the occurrence, which is clearly reflected in the CCTV footage;*

(ii) action of the petitioner-accused amounts disrupting public peace



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and order;

(iii) *such a conduct of the accused does not merit the discretionary relief of anticipatory bail because the same would send a wrong message to society;*

(iv) *no substantial ground to extend the concession was found."*

4. Learned counsel for petitioner while placing reliance upon ***Gurpreet Singh vs. State of Punjab, 2025(1) PLR 198*** submits that at the time of dismissal of the first anticipatory bail petition, petitioner was not possessed with the copy of opinion given by Medical Board as the same was never delivered, therefore, submits that in the changed circumstances, his plea for bail should be considered once again. For arguing the second petition, learned counsel has relied upon the Medical Board opinion, which has been reproduced in paragraph No. 5 of the petition and reads as under:-

*"*Medical Board Opinion**

The Medical Board is of Opinion that -

1. The gist of incidences mentioned in MLR No. MLR/REE/ADA/477/2025 dated 27.5.2025 does not give any mention of firearm injury.

2. The MLR mention only penetrating injury over left wrist joint.

3. Upon examination by medical board members two healed scars were seen on the medial and lateral sides of left wrist respectively.

4. MRI done at Civil Hospital Jalandhar on 20.11.2025 shows fracture of scaphoid bone, lunate bone with joint effusion.

5. No metallic foreign body or pellets were seen upon MRI scan. No tract of penetrating injury was seen on MRI scan.

6. The kind of weapon weather firearm or other any other penetrating weapon cannot be ascertained at this point of time.

Medical Board Members."

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5. Counsel submits that medical opinion at points No. 1 and 5 have given fresh cause of action to the petitioner to file instant second anticipatory bail petition.

Regarding column No. 1 no mentioning of gist of incidences is duly filled by the concerned doctors only on the basis of medical record, which to the view point of this Court, is not mandatory for conducting medico legal examination of the injured or to provide the adequate treatment. Regarding column No. 5 that no metallic foreign body or pellets were seen in the MLR scan, definitely it is not the stage to give any opinion in that regard. Only the Radiologist, having knowledge about the MRI scan can assign the reasons at relevant stage of trial, if he appears before the Court as to under what circumstances the pellets may appear, while doing MRI scan or may not appear. Thus, its a job assigned to a technical hand and not to the Court and that too not at this stage. The trial Court is expected to examine all such aspects at the final stage of the trial, after having complete set of evidence, which is yet to be led before the Court.

The bail petitions are decided by seeing the allegations and its believability on *prima facie* basis, as per the role assigned to the concerned accused.

6. For the reasons aforementioned, the petition is dismissed being not maintainable.

(SANJAY VASHISTH)
JUDGE

23.12.2025

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Whether Speaking/Reasoned:
Whether Reportable:

~~YES/NO~~
~~YES/NO~~