



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

101

**CRM-M-73472-2025(O&M)
Date of Decision: 30.12.2025**

GURMUKH SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Manjot Singh Rai, Advocate for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

Mr. Surinder Thakur, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The present petition has, *inter alia*, been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in a case arising out of FIR No.361 dated 07.11.2025, registered under Sections 125, 126(2), 324(4), 191(3) and 190 of the Bharatiya Nyaya Sanhita, Section 109 of the Bharatiya Nyaya Sanhita having been added later vide DDR No.25 dated 20.11.2025 and Sections 25, 27 of the Arms Act, at Police Station City Hoshiarpur, District Hoshiarpur.

2. Learned counsel for the petitioner submits that the petitioner has no role to play in the said FIR and was not named therein. It is further submitted that the FIR records that certain masked persons had committed the offence and was initially lodged under Section 125 of the Bharatiya



Nyaya Sanhita and other provisions, however, no injury, much less any injury attributable to the petitioner, was initially alleged.

Learned counsel further submits that the vehicle allegedly involved in the commission of the offence does not belong to the petitioner and prays for grant of parity, contending that the main accused, namely Ashwani Thakur, against whom allegations of firing were levelled, has already been granted the concession of anticipatory bail by a Coordinate Bench of this Court.

3. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the grant of anticipatory bail. It is submitted that the petitioner played a pivotal role in the commission of the offence. It is further submitted that the complainants and his family members were witnesses in another FIR and had deposed against the petitioner in a Court of law. Subsequently, the petitioner, along with other co-accused, not only committed the offence but also subjected the complainant and his family to serious threats. Learned counsel further submits that the entire incident has been duly video recorded and the petitioner is clearly visible in the said footage. It is also submitted that the vehicle involved in the offence belongs to the present petitioner. As regards parity, it is contended that the petitioner is not entitled to the same, as the co-accused Ashwani Thakur had misled the Court by submitting that no bullet was recovered from the spot and that there was no injury, whereas in fact the victim had suffered a bullet injury and was operated upon at PGI. It is further submitted that the complainant is in the process of moving an



appropriate application in the connected petition, which is fixed for 13.01.2026.

4. Heard learned counsel for the parties at length. Considering the fact that the entire incident is duly covered by CCTV footage, coupled with the fact that the petitioner has been specifically nominated vide DDR No.33 dated 08.12.2025 and that the vehicle involved in the offence is owned by the petitioner, that the petitioner is clearly visible in the CCTV footage, and further considering that the petitioner does not have clean antecedents and has allegedly been part of a group which committed a serious offence of intimidating and threatening witnesses, for which CCTV footage is available, this Court is of the opinion that the matter requires thorough investigation, for which custodial interrogation of the petitioner would be of extreme importance.

5. The settled principle of law as laid down in the judgment passed by Hon’ble Supreme Court of India in *CBI vs. Anil Sharma (1997) 7 SCC 187* is squarely applicable to the present case, accordingly, the present petition is dismissed.

30.12.2025
Deepak Patwal

(ALOK JAIN)
JUDGE

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |