



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(131-2)

CRM-M-6153-2026 (O&M)

Date of Decision: 17.03.2026

AMANDEEP SINGH @ AMANPREET SINGH @ DIPTY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pranav Chadha, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Mr. Tek Tejinder Pal Singh, Advocate and
Mr. Amninder Singh, Advocate for the complainant.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in case FIR No.25 dated 20.05.2025, under Sections 351(2), 74, 115(2) and 3(5) of BNS, 2023, and Section 10 of POCSO Act, registered at Police Station Handesra, Tehsil Dera Bassi, District S.A.S. Nagar.

2. The contents of FIR are reproduced hereinafter.

“Statement of Ram Pal son of Krishan Singh, resident of Village Rani Majra, Police Station Handesra, aged about 43 years, Mob# 98776xxxxx. Stated that I am residing at above noted address and is Photographer by profession. I alongwith my family is residing at Village Rani Majra. On 18.5.2025, at about 8/9 P.M., when I alongwith my wife xxxxxx & my daughter xxxxxx was present at home, our small door, fitted towards street, was lying open, when few persons found hurling abuses in street. My wife alongwith my daughter xxxxxx, who is deaf, arrived at door fitted towards street. I found that Manpreet Singh son of Naib Singh, armed with sword, Amandeep Singh @ Dipty son of Naib Singh & Karam Singh son of Banarsi Dass, residents of Village, came over there. Said Manpreet



Singh gave a blow of sword in my head, which rested in my head. They caught breast of my wife xxxxx and also caught my daughter. I came forward in order to rescue them, when they dragged my wife & my daughter xxxxxx out of door and brought them in street. They also caught me. Then said Manpreet Singh gave blow of sword in my head with a motive to kill me, which rested in my head. Said Karam Singh & Amanpreet Singh gave me blows of danda, sota. I raised alarm of 'maar ta... maar ta'. Meanwhile, Kulvir Singh son of Banarsi Dass, Amar Singh son of Harbilas Singh, Gurmit Singh son of Harbilas Singh, Dilpreet Singh son of Amar Singh, Gurdas Singh son of Hans Raj, Surinder Singh son of Kharaiti Lal, Baljit Singh son of Ram Sarup, Mungi son of Baljit Singh, Naib Singh son of Ram Sarup, Jasvir Singh son of Seo Pal and their ladies also arrived at the spot, who were carrying weapons & danda. My brothers Satpal Singh, Nirmal Singh, my mother xxxxxx & my nephew Jaspreet Singh also arrived at the spot. Then Manpreet Singh gave another blow, on which, my brother raised his left hand in order to protect my head, resulting which, the said blow hit his hand. The said assailants also assaulted on head of my nephew Jaspreet Singh, who received a brick blow in his head. We raised alarm of 'maar ta... maar ta', when they also inflicted injuries to my mother, caught her. Nirmal Singh also caused injuries to them. Karam Singh etc. were saying that though today you are saved, but next time, we will surely kill you. They pelted brick stones on us. Thereafter, they uprooted the trees, lying grown outside our house. Reason of grudge is that we have left some land outside our house. Fresh streets are being constructed in village, when we requested them that the said land is spared by us, so you may not disturb the said area. But they are willing to merge the land, left by us, in street. Due to this reason, they have given us beatings and attacked us with a motive to kill us. Manjit Kaur wife of Naib Singh, Dimple wife of Amar Singh, Sanju wife of Kulvir Singh, Maninder Kaur wife of Karam Singh, ladies belonging to said assailants, also arrived at the spot and threatened us. Thereafter, someone from village brought us to Civil Hospital, Dera Bassi. Entire occurrence is witnessed by Krishan Singh & Amarjit Singh. Statement got recorded with you, gone through, heard, it is correct. Due legal action may be taken against them. Sd/- Ram Pal. Statement corroborated Sd/- xxxxxx Sd/- Satpal Singh Sd/- Nirmal Singh RTI Harbans Kaur Attested - Sd/- S.I. Jiwan Singh, Police Station Handesra. Date:20.5.2025."

3. Learned counsel for the petitioner submits that the present FIR is a consequence of a long-standing dispute between the parties regarding an area on the private street. It is contended that the genesis of the occurrence is purely civil in nature, which has been deliberately given a criminal colour by



the complainant in order to exert pressure. Rather, contrary to the allegations, it was the complainant party who was the aggressor side, which ultimately led to a free fight between both sides. Infact, a cross-case already stands recorded vide GD No. 22 dated 07.08.2025, since the petitioners' side had suffered grievous injuries. Furthermore, even the role attributed to the present petitioner is, at best, minimal and general in nature, inasmuch as he is alleged to have been armed with a danda and to have extended threats, without any specific overt act of causing grievous injury or participating in any alleged sexual offence. It is also contended that the allegations sought to be brought within the ambit of the POCSO Act are also vague and wholly lacking in particulars; the only allegation qua the minor girl being that she was caught during the course of the scuffle, which, in the backdrop of a sudden fight between two groups, cannot be construed as constituting an offence under the special statute. Learned counsel further submits that the petitioner has already joined the investigation and cooperated with the investigating agency.

4. *Per contra*, learned State counsel, and learned counsel for the complainant, have vehemently opposed the petition and submitted that the contentions advanced on behalf of the petitioner are an attempt to trivialize a grave and heinous occurrence. It is contended that the FIR when read as a whole, discloses specific and serious allegations against the petitioner, who was an active participant in an unlawful assembly that forcibly entered the complainant's house and carried out a violent assault upon the family members. It is further submitted that the allegations are not confined to simple hurt but extend to house trespass, use of deadly weapons, criminal intimidation, and, most significantly, outraging the modesty of the



complainant's wife and his minor daughter, who is deaf and thus particularly vulnerable.

5. Drawing attention to the status report dated 09.03.2026, learned State counsel submits that the nature of injuries suffered by the victims clearly belies the plea of false implication. The complainant and his wife sustained three injuries each while Satpal Singh and Nirmal Singh suffered four injuries each. Even the minor daughter and the elderly mother of the complainant were attacked, who sustained one injury each. It is argued that the brutality of the attack carried out using multiple weapons, reflects a clear intention to cause serious harm and cannot be brushed aside as a mere fallout of a civil dispute. Particular emphasis is laid upon the statement of the minor victim recorded under Section 183 BNSS on 06.02.2026, wherein she has specifically identified the accused persons and alleged that they touched her inappropriately and inflicted injuries upon her and her family members. Learned State counsel submits that such a statement, at this stage, lends strong *prima facie* support to the prosecution case and cannot be lightly disregarded. Learned State counsel emphasizes that the investigation is at a crucial stage, especially with regard to ascertaining the precise role of each accused, verifying the allegations of sexual assault, and effecting recovery of the weapons used in the commission of the offence. In such circumstances, custodial interrogation of the petitioner is necessitated in this case so as to ascertain the true factual aspect of the alleged occurrence, and for the recovery of the weapons of offence.

6. It is further argued by the learned counsel for the complainant that the gravity of the allegations is compounded by the statutory presumption under Section 29 of the POCSO Act, which operates against the



accused. Reliance is also placed upon the judgment of the Hon'ble Supreme Court in "***Sumitha Pradeep V. Arun Kumar C.K. and another***" reported in ***2022 AIR (Supreme Court) 5705***, to contend that the absence of a requirement for custodial interrogation is not, by itself, a ground for grant of anticipatory bail, and that the Court must give primacy to the existence of a strong prima facie case and the gravity of the offence.

7. Heard the rival submissions made by learned counsel for the parties.

8. Trite to say that while considering the prayer for grant of anticipatory bail, a delicate balance between the right of an individual to liberty, and the need for a fair and effective investigation must be drawn. Though a roving inquiry is not required to be made at this stage, however, the considerations which must be kept in mind are, *inter alia*, the nature and gravity of the allegations, the role attributed to the accused, the possibility of tampering with evidence or influencing witnesses, and the larger interest of society.

9. In the present case, the argument raised on behalf of the petitioner is that the dispute arises out of a civil disagreement relating to a private street and that the case is one of version and cross-version. Be that as it may, the same does not suffice to dilute the seriousness of the allegations levelled against the petitioner, that he was part of an unlawful assembly that allegedly entered the house of the complainant, and inflicted injuries upon several persons, including women and an elderly member of the family. The photographs placed on record, alongside the MLR's of the aggrieved individuals, as annexed in the status report, lend *prima facie* corroboration to version as narrated in the FIR.



10. Moreover, the allegations made in the present case are not confined to physical assault alone, but also extend to outraging the modesty of the complainant's wife, and their minor daughter, stated to be a specially abled child, who in her statement recorded under Section 183 BNSS, duly identified the accused persons and attributed specific roles to each of them in molesting her. No doubt the veracity and evidentiary value of such statement would be tested during trial, however, at this stage it constitutes a strong *prima facie* circumstance against the petitioner.

11. The submission that custodial interrogation of the petitioner is not required is equally unavailing. As has been held by the Hon'ble Supreme Court in a plethora of judgments, the absence of a requirement for custodial interrogation cannot, by itself, be a ground for grant of anticipatory bail. What is of paramount consideration is the existence of a *prima facie* case and the gravity of the allegations. In the present case, the investigation is still in progress, and the recovery of weapons as well as ascertainment of the precise sequence of events necessitate effective interrogation of the accused persons.

12. The position of law is settled that the concession of anticipatory bail, which is an extraordinary relief, cannot be granted on the mere asking of the petitioner. There must be an existence of exceptional circumstances in their favour so as to warrant the Court to extend this concession. Regrettably, there is nothing in the pleadings made on behalf of the petitioner, so as to make out the existence of any such grounds so as to make him entitled for grant of concession of anticipatory bail.

13. The nature of the allegations in the present case, the manner in which the alleged occurrence is stated to have taken place within the

precincts of the complainant’s house, the multiplicity of injuries suffered by the victims, and the involvement of a minor victim, cumulatively point towards the seriousness of the offence. Grant of anticipatory bail in such circumstances may even hamper the conduct of a free and fair investigation, which is still ongoing in the present case.

14. In view of the foregoing discussion, this Court is of the considered opinion that the petitioner has failed to make out a case for grant of anticipatory bail. The allegations against the petitioner are grave and supported by *prima facie* material, and no exceptional circumstances are made out to warrant the exercise of discretionary jurisdiction in his favour.

15. Accordingly, the instant petition stands dismissed.

16. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

March 17, 2026
Jithlesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No