

2026:PHHC:051839



102

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

CRM-M-6240-2026 (O&M)

Lovepreet Singh alias Love Shooter

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: April 06, 2026**Date of Uploading: April 06, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Rahi Mehra, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG Punjab.

SUMEET GOEL, J. (Oral)

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner, in case bearing FIR No.215 dated 25.11.2025, registered for the offences punishable under Sections 117(2), 126(2), 304, 351(2), 351(3), 324(2), 324(6), 191(3) and 190 of BNS Act, 2023 (Section 238 of BNS added later on), at Police Station Jhabal, District Tarn Taran.

2. The gravamen of the FIR in question reflects that the FIR has been registered on the statement of complainant namely Jasbir Singh who alleged that on 19.11.2025, the marriage of his aunt's (bua's) son namely

Manpreet Singh alias Mani was arranged with one Gurmeet Kaur, daughter of Dhira Singh. At around 12:00-12:30 p.m., the complainant - Jasbir Singh was going with his family to attend the wedding function. On the way, they were waylaid by the accused including the petitioner, who was carrying a sickle while accused Paramjit Singh alias Pamma was carrying a sword, Vanshpreet Singh alias Vansh was having a baseball bat and accused Gori was having an axe. While Paramjit Kaur wife of Nirmal Singh and Amandeep Kaur wife of Gurpeet Singh were also present but were unarmed alongwith 14/15 unknown persons. Thereafter, accused Paramjit Kaur and Amandeep Kaur, who are relatives of the complainant, exhorted to catch hold of the complainant as he was acting as the main person in the wedding. Out of fear, complainant tried to take out his mobile phone to make a call. At that moment, petitioner Lovepreet Singh attacked the complainant with a sickle which hit upon his left wrist. The accused then snatched his Vivo mobile phone from his hand, the accused Vanshpreet Singh took Rs.20,000/- from his shirt's pocket. The complainant pleaded with folded hands whereinafter the accused spared his life. Meanwhile, Nishan Singh son of Jaswant Singh, a resident of the same village came from the Jhabal side in his vehicle and took the complainant to Civil Hospital, Jhabal where after administering first aid, he was referred to Civil Hospital, Tarn Taran and remained admitted for three days for treatment. After returning home, the complainant came to know that the accused persons had also damaged dowry items and household goods at the house of his aunt. On these set of allegations, the FIR in question came to be registered and investigation ensued.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question due to ulterior motives and personal enmity. Learned counsel has further iterated that the FIR has been lodged after an unexplained delay of 07 days which casts a serious doubt on the veracity of the allegations. According to learned counsel, no specific role has been attributed to the petitioner in causing injury to the complainant and he was not even present at the place of occurrence. Furthermore, the offence alleged is punishable upto 07 years and the mandatory provisions regarding issuance of notice under Section 35 of BNSS, 2023 (erstwhile Section 41-A of the Cr. P.C.) have not been complied with. It has been further argued that there is no independent or corroborative material to connect the petitioner with the alleged offence. According to learned counsel, the implication of the petitioner is motivated, malicious and based on personal enmity and the petitioner has no role whatsoever in the alleged occurrence.

3.1. Learned counsel has emphasized that co-accused have already been granted the concession of anticipatory bail by the Court below, vide order(s) dated 23.12.2025 (copy whereof has been appended as Annexure P-2 with the present petition) and on the principle of parity, the petitioner is also entitled to the same relief.

3.2. It has been further contended that no recovery is to be effected from the petitioner or at his instance. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the petitioner is ready to join the investigation and hence no useful purpose

would be served by sending him behind the bars. On the strength of these submissions, the grant of petition in hand is entreated for.

4. Referring to reply by way of affidavit of Sukhbir Singh, Deputy Superintendent of Police, Sub Division City Tarn Taran, District Tarn Taran, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the allegations levelled against the petitioner are serious in nature as he was a part of an unlawful assembly which was armed with deadly weapons. The relevant part of the reply reads as under:

*“6. **Role of the Petitioner**:- That the petitioner has been specifically attributed a direct and active role in the occurrence. It is categorically claimed that the petitioner, armed with a sickle (datar), formed part of the unlawful assembly and in furtherance of the common object, inflicted a datar blow on the left wrist of the complainant Jasbir Singh, which injury was subsequently declared grievous in nature. Apart from causing the grievous injury with a sharp-edged weapon, the petitioner also forcibly snatched the complainant’s mobile phone (make Vivo) from his hand at the spot. The recovery of the weapon of offence as well as the snatched mobile phone is yet to be effected from the petitioner and the investigation is still in progress.”*

Raising submissions in tandem with the aforesaid reply, learned State counsel has further iterated that the complainant was attacked in a premeditated manner. According to learned State counsel, the FIR clearly discloses a cognizable offence wherein the complainant not only sustained grievous injuries, but his belongings were also forcibly snatched. Learned State counsel has emphasized that the investigation is at a crucial stage and the custodial interrogation of the petitioner is necessary to unearth the true facts, including the role played by each accused, recovery of weapons and identification of other unknown persons involved in the occurrence. Considering the gravity of the offence, the manner in which it was committed and the involvement of the petitioner, the dismissal of the instant petition is prayed for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. The allegations *prima facie* disclose commission of a grave and heinous offence wherein the petitioner is alleged to be an active participant in the occurrence forming part of an unlawful assembly. As per the FIR, petitioner alongwith his co-accused, armed with deadly weapons, waylaid the complainant and subjected him to a brutal assault. The role attributed to the accused persons including the petitioner cannot be examined in isolation at this stage, particularly when the allegations pertain to a concerted group assault in furtherance of common object. The contention of the petitioner that no specific injury has been attributed to him does not, at this stage, dilute the seriousness of the allegations particularly when the occurrence involves collective participation of multiple accused persons. Furthermore, the medical evidence on record corroborates the version of prosecution and *prima facie* establishes that the complainant suffered grievous injuries including a fracture of left ulna, which has been declared grievous in nature by duly constituted medical board. The manner in which the alleged assault was carried out using deadly weapons, reflects the violent and aggressive conduct of the assailants.

6.1. No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. It goes without saying that in the instant case, the complainant has categorically alleged that the petitioner along with co-accused and as part of an unlawful assembly, acted in furtherance of their

common object inflicted grievous injuries to the complainant including the fracture of left ulna. The contention raised by the petitioner regarding delay in registration of the FIR stands satisfactorily explained, inasmuch as the complainant was immediately hospitalized and remained admitted for a period of three days due to the injuries sustained in the occurrence.

6.2. Furthermore, the plea of false implication is a disputed question of fact which cannot be adjudicated upon while at the essentially stage of considering a petition for grant of anticipatory bail. It is well settled that while exercising jurisdiction under Section 482 BNS, the Court must consider the nature and gravity of the accusation, the role attributed to the accused, the likelihood of fleeing from justice and the possibility of tampering with evidence or influencing witnesses. The scope of appreciation of evidence/material at the stage of anticipatory bail is limited and the Court cannot go into the detailed appreciation of evidence or determine its admissibility, which is a matter to be decided during the course of trial. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The plea of false implication on account of previous enmity is vague, bald and unsubstantiated. No material has been placed on record to show existence of any such enmity or motive for false implication. Mere assertions in the absence of any supporting material cannot form the basis for grant of anticipatory bail.

6.3. The principle of parity as invoked by the petitioner is also misplaced and misconceived as each case must be evaluated on its own facts and role attributed to each accused has to be independently assessed. The petitioner cannot claim parity with the co-accused as a matter of right as the principle of parity is not an absolute right and is not subject to the distinct

role, conduct and circumstances of each case. The material which has come on record, including the medical evidence and preliminary investigation *prima facie* establish a reasonable basis for the accusation leveled against the petitioner. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*], the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

7. Considering the nature and gravity of the allegations, the manner in which the offence is stated to have been committed and the requirement of the custodial interrogation for effective investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

8. In view of the prevenient ratiocination, it is ordained thus:

(i) The instant petition is devoid of merits and is hereby **dismissed**.

(ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

April 06, 2026
Ajay/Mahavir
Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No