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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7236-2026
Decided on : 21.04.2026

Lovely and others

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Dinesh Nagar, Advocate and
Ms. Kamlesh Kumari, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
(1) Lovely, aged 20 years (2) Jaswinder, aged 21 years, (3) Davinder Kumar, aged 31 years, and (4) Ashok Kumar, aged 40 years	0089	21.11.2023	323, 325, 460, 148, 149 of IPC	Kathgarh	SBS Nagar

2. In the present case, on 09.02.2026, following order was passed by this Court:-

“2. On oral request made by the petitioner, complainant namely Balveer Kumar, son of Diwan Chand, resident of Banha, Police Station Kathgarh, District SBS Nagar, (mobile No.79736-57136), is ordered to be impleaded as respondent No.2.

Let amended memo of parties be filed in the Registry, within a period of two weeks from today, without moving any separate



application.

3. *Learned counsel for the petitioners, inter alia, contends that as per the version of complainant-Balveer Kumar in the FIR, on 24.10.2023 at about 7:30 p.m., while he was returning home on foot, accused Telu Ram and Lovely Kumar (petitioner No.1) arrived from the side of Dussehra Ground, in an Alto car, bearing registration No.PB-32L-4555 and deliberately hit the complainant, causing him to fall on the rough path. With the assistance of Karan Kumar, Heera Lal and Raj Kumar, complainant reached his house.*

It is further alleged that shortly thereafter, the accused persons, allegedly armed with weapons, forcibly entered the house of the complainant after breaking open the gate. Accused Paramjit is stated to have exhorted by saying, "don't let them go today." Accused Ashok Kumar (petitioner No.4) allegedly gave a stick blow on the face of the complainant's mother, Satya Devi, resulting in the breaking of her lower tooth. Accused Jaswinder (petitioner No.2 herein) allegedly gave an axe blow with the reverse side on the abdomen of the complainant's mother. Accused Lovely Kumar (petitioner No.1) is alleged to have given a stick blow on the right shoulder of the complainant, while accused Honey allegedly inflicted an axe blow on the lower back of the complainant. Accused Telu Ram is alleged to have given a baseball blow on the forehead of Heera Lal. Accused Davinder Kumar @ Kapil (petitioner No.3 herein) and Sukhdev are alleged to have inflicted further injuries with their respective weapons.

It is further alleged that upon hearing the screams, Bishamwar Dass and Rakesh Kumar reached the spot, whereupon the accused persons attempted to flee in the said Alto car. However, the vehicle allegedly crashed into a roadside ditch, after which the accused abandoned the car and fled towards their village along with their respective weapons.

4. *Learned counsel for the petitioners submits that, even as per the prosecution version, role attributed to petitioner No.1, Lovely Kumar, is limited to being present in the car at the first instance when it allegedly struck the complainant and to having given a stick blow, though no specific injury is attributed to him. Petitioner No.2, Jaswinder, though alleged to be armed with an axe, is not attributed with causing any injury to any person. Petitioner No.3, Davinder Kumar @ Kapil, is also not assigned any specific injury, except a vague allegation of having inflicted injuries along with co-accused Sukhdev. As regards petitioner No.4 – Ashok Kumar, though he is alleged to have given a stick blow on the face of the complainant's mother, however, it is submitted that the allegation is false and no such injury was ever caused by him.*

5. *It is further contended that a similarly situated co-accused, namely Sukhdev @ Sukh Dev, has already been granted the concession of anticipatory bail by this Court, vide order dated 11.02.2025 passed in CRM-M-65558-2024 (Annexure P-3). Another co-accused, Paramjit, has also been granted anticipatory bail by this Court, vide order dated 11.02.2025 passed in CRM-M-65561-2024 (Annexure P-4). Therefore, petitioners are entitled to the benefit of parity.*

6. *Further submits that, except for Section 460 IPC, all other substantive offences invoked in the present case are bailable. Moreover, petitioners undertake to join the investigation and cooperate with the same, if protected from arrest. Thus, it is prayed that concession of anticipatory bail be granted to the petitioners in the present case.*

7. *Notice of motion.*

8. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*



9. *Adjourned to 21.04.2026.*
10. *Let newly added respondent No.2 (complainant) be served through the concerned SHO, for the next date of hearing.*
11. *Through dasti process as well.*
12. *Accordingly, petitioners are directed to join the investigation within two weeks from today, and in the eventuality of the arrest, petitioners would be released on anticipatory bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
13. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.*
It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioners contends that in compliance of the order dated 09.02.2026, passed by this Court, petitioners have joined the investigation, and have fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioners of joining the investigation by the petitioners, and submits that as of now, custodial interrogation of the petitioners is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioners have already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 09.02.2026, passed by this Court is hereby made **absolute**.

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands **disposed of**, accordingly.



8. However, present order would be subject to the submission of passports of the petitioners to the Investigating Agency or to Court concerned, if they possess, within a period of one week from today. Otherwise, they would submit affidavits, disclosing the fact that they do not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 21, 2026
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No