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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-9138-2026

Date of decision: 16th April, 2026

Harwinder Singh @ Jota

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gaurav Rana, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 172 dated 14.08.2025 registered under Sections 115(2), 117(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 118(2) of BNS added later on) at Police Station Mehatur, District Jalandhar Rural.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Kuldeep Singh, alleging that on 20.07.2025, he was going in his Innova vehicle towards his house and while on the way, two sisters of present petitioner had given him a signal to stop and

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to drop them to village Baloki. He had agreed to do so and had dropped them near the market of village Baloki and had returned to his village. On the way, he was intercepted by the petitioner, who was accompanied by 2-3 other persons. The petitioner opened an assault upon him by striking blows with a sword thereby injuring his right thumb and foot. The persons accompanying him also gave blows with *datar* thereby causing injuries on his chest and left rib. One of them struck a blow with a baseball on his left thigh and neck. He was given punches by them. On clamour being raised, some co-villagers reached there and then the assailants had fled away. The cause of grudge was the factum of giving lift by the complainant to the sisters of the petitioner. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Jalandhar, which was dismissed vide order dated 04.12.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injuries sustained by the complainant clearly appear to be self inflicted injuries as he has not suffered any amputation. The complainant had tried to misbehave with his sisters after giving lift to them. His sisters had narrated the incident to him. A complaint was also filed before the police but no action was taken against the complainant. He did not cause any injury to the complainant. He is ready to join the investigation. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

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4. Learned State counsel while relying upon the status report, on the other hand, has argued that there are serious allegations against the petitioner, who accompanied by the co-accused had struck blows with a sword on the person of the complainant thereby causing simple as well as grievous injuries to the complainant. No exceptional or extra ordinary circumstances for grant of bail is made out in his favour. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused is alleged to have assaulted the complainant and to have voluntarily caused simple as well as grievous injuries to him. For the purpose of conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. Even otherwise, the petitioner has failed to make out any exceptional or extraordinary circumstance making out a case for grant of pre-arrest bail to him. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner. Accordingly, the petition is dismissed.

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7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

16th April, 2026
Parveen Sharma

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