

2026:PHHC:040050



120

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10501-2026

Vishu @ Bishu

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: March 16, 2026

Date of Uploading: March 16, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG Punjab.

Mr. S.K. Tripathi, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner, in case FIR No.06 dated 06.01.2026, under Sections 115(2), 118(1), 126(2), 351(2) of the BNS, 2023 (earlier Sections 323, 324, 341, 506 of IPC), registered at Police Station Haibowal, District Ludhiana.

2. The gravamen of allegations against the petitioner is that on 01.01.2026 at about 9:30 P.M., the complainant, along with Rohan, had gone to Town Cafe. On the way, they saw the accused Vishu (*petitioner herein*) and Happy arguing with the owner of a shop named Smoking Zone regarding the payment of Rs.70/-. As he knew the accused persons, he asked them to pay the said amount to the shop owner. The accused then paid Rs.70/- and left the spot. However, after some time, Vishu (*petitioner herein*) and Happy, along with 3–4 unidentified persons, returned to the spot. Thereafter, the petitioner struck the

complainant on the head with a glass bottle, due to which the complainant fell down. The petitioner then gave 3–4 more blows on the complainant's head with the broken glass bottle and also bit his fingers. Co-accused, namely, Happy also assaulted the complainant by giving fist blows, and both of them also beat Rohan.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the factual *milieu* of the case in hand reflects that fight was not pre-meditated. Learned counsel has submitted that the petitioner himself is the recipient of multiple injuries, and it has been stated, in para-6 of the petition in hand, thus:

“6. That it is a case where, the present petitioner is a victim who have received around 11 injuries from the hands of the complainant and his associates and instead of registration of the FIR against the complainant and his associates, the FIR has been registered against the petitioner and the MR No.MLR/HRP/12/2026/CHLDH dated 01.01.2026 was also issued by the civil hospital, Ludhiana, which clearly shows that out of 11 injuries, 9 injuries have been received by the petitioner with sharp weapon and two injuries have been received with blunt weapon and the petitioner has also received the injuries on his vital parts of the body, the injuries details are mentioned as under:

1. AN INCISED WOUND OVER LEFT FRONTO TEMPORO PARIETAL REGION HORIZONTALLY PLACED. ADV NCCT HEAD WITH SURGICAL OPINION.

Injury Number: 1 / Pictorial depiction? Yes

2. AN INCISED WOUND 1.5 X 1 CM OVER MIDLINE OF FOREHEAD BETWEEN EYEBROW. ADV NCCT HEAD WITH SURGICAL OPINION.

Injury Number: 2 / Pictorial depiction? 0 Yes

3. AN INCISED WOUND 2 X 0.3 CM OVER NOSE UPPER PART SEMILUNAR IN SHAPE. ADV NCCT FACE WITH ENT OPINION.

Injury Number: 3 / Pictorial depiction? Yes

4. AN INCISED WOUND 1.8 X 0.3 CM OVER LEFT MALAR REGION 1.5 CM BELOW LEFT EYE. ADV OCTFACE WITH ENT/DENTAL OPINION.

Injury Number: 4 / Pictorial depiction? Yes

5. AN INCISED WOUND 1.3 X 0.3 CM OVER LEFT SIDE OF FOREHEAD HORIZONTALLY PLACED WITH SURROUNDING MULTIPLE SKIN DEEP. ADV NCT HEAD WITH FACE WITH SURGICAL OPINION.

Injury Number: 5 / Pictorial depiction? Yes

6. AN INCISED WOUND 0.5 X 0.3 CM UPPER EYELID LATERAL PART. ADV NCCT FACE WITH EYE OPINION.

Injury Number: 6 / Pictorial depiction? Yes

7. REDDISH ABRASION 2 X 1 CM OVER LEFT PARIETO OCCIPITAL REGION WITH DIFFUSE SWELLING SEEN. ADV NCCT HEAD WITH SURGICAL OPINION

Injury Number: 7 / Pictorial depiction? Yes

8. SUPERFICIAL PEELING OF SKIN OVER RIGHT HAND PALM 4 CM PROXIMAL TO RING FINGER ALONG LENGTH OF HAND 1.3 X 0.5 CM MARGINS ARE CLEANLY DEFINED BLEEDING SEEN. ADV X RAY RT. HAND WITH ORTHO OPINION.

Injury Number: 8 / Pictorial depiction? Yes

9. AN INCISED WOUND OVER RIGHT LITTLE FINGER DISTAL PART HORIZONTALLY PLACED WITH OBLIQUELY OF SIZE 2 X 0.5 CM WITH PEELING OF UNDERLYING STRUCTURE. ADV X RAY RIGHT HAND WITH ORTHO OPINION.

Injury Number: 9 / Pictorial depiction? Yes

10. SUPERFICIAL PEELING OF SKIN RIGHT HAND RING FINGER TIP OF SIZE 1 X 0.5 CM. BLEEDING SEEN. ADV X RAY RIGHT HAND WITH ORTHO OPINION

Injury Number: 10 / Pictorial depiction? Yes

11. REDDISH ABRASION 1.5 CM X 1 CM OVER LEFT KNEE. ADV XRAY LEFT KNEE.

Injury Number: 11 / Pictorial depiction? Yes

Nature of Injuries (Simple, Grievous, Dangerous or pending for observation)

1,2,7 NCCT WITH SURGICAL OPINION, 3 NCCT WITH ENT OPINION, 4 NCCT WITH ENT/ DENTAL OPINION, 5 NCCT WITH SURGICAL OPINION, 6 NCCT WITH EYE OPINION, 8,9,10 FOR X RAY WITH ORTHO OPINION Probable Duration of Injury

1,2,3,4,5,6,7,8,9, 10, 11 WITHIN 12 HRS

Kind of Weapon Used (Sharp, Blunt, Firearm, Fire, Poison etc)

1,2,3,4,5,6,8,9,10 SHARP, 7,11 BLUNT"

3.1. Learned counsel has submitted that the petitioner is a young man aged 19 years with clean antecedents. Learned counsel has further submitting that nothing is to be recovered from the petitioner. Learned counsel has further iterated that the petitioner is ready and willing to join investigation. On the basis of the aforementioned submissions, grant of the instant petition is prayed for.

4. On the other hand, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that there are direct/ serious allegations against the petitioner. Learned State counsel has argued that the petitioner has caused injuries to the complainant on his head with glass bottle, apart from giving injuries on the fingers of the complainant. Learned State counsel has further argued that, investigation, in the present case, is still under way and the petitioner is yet to be arrested. Given these circumstances,

custodial interrogation of the petitioner is indispensable. Learned State counsel submits that, in case, the petitioner is accorded concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice as also attempt to influence/ intimidate the prosecution witnesses. Thus, the present petition is devoid of merit and is liable to be dismissed.

4.1. Learned counsel for the complainant has opposed the grant of anticipatory bail to the petitioner by arguing that there are direct/ serious allegations against the petitioner. Learned counsel has argued that the petitioner had given injuries on the head of the complainant with a broken glass bottle and also bit his fingers. In case, the petitioner is extended the concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice and also interfere with the prosecution evidence. On the strength of these submissions, dismissal of the petition in hand is entreated for.

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

6. From the perusal of the record as well as averments made by the counsel for the petitioner, it is borne out that the occurrence in question was not pre-meditated and the petitioner himself sustained multiple injuries during the said occurrence. The said circumstance *prima facie* indicates that the petitioner was also involved in the scuffle and had sustained injuries during the same occurrence. The petitioner has also expressed his willingness to join and cooperate with the investigation.

7. Without commenting upon the merits of the case, and considering the overall facts and circumstances, this Court deems it appropriate to grant the concession of anticipatory bail to the petitioner.

8. Accordingly, the petition in hand is **allowed**. In the event of arrest, the petitioner shall be released on anticipatory bail, subject to his joining

investigation on **19.03.2026** and, thereafter, continue to joining and cooperating in the investigation, as and when required, and further subject to his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions as envisaged under Section 482(2) of the BNSS, 2023. The petitioner shall not directly or indirectly influence any witness or tamper with the evidence.

9. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

10. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

11. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

March 16, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No