



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

204

CRM-M-11280-2026 (O&M)
Date of Decision: 02.04.2026

BANTI AND ANOTHER**...Petitioners**

VERSUS

STATE OF PUNJAB**...Respondent****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

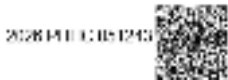
Present: Mr. Yuvraj Singh Raghuvanshi, Advocate
for the petitioners.

Mr. Akash Yadav, AAG Punjab.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioners seek anticipatory bail in case arising out of G.D. No. 46 dated 12.11.2024, under Sections 117(2), 118(2), 191(3), 190 Bharatiya Nyaya Sanhita, 2023, Police Station Phillaur, District Jalandhar Rural registered as a cross case in FIR No. 301 dated 12.11.2024 under Sections 118(2), 115(2), 74, 191(3), 190 Bharatiya Nyaya Sanhita, 2023, Police Station Phillaur, District Jalandhar. This is the first petition for anticipatory bail.

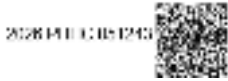
2. GD No. 46 dated 12.11.2024 was recorded on statement of Kiran son of Kala Masih, who reported that on 06.11.2024 at about 09.00 PM, when he was going towards his house from Garha Road, Phillaur and reached crossing of Malahan Muhalla, 8-10 boys including Banty son of Billi were standing. When he asked Buntty as to why he was standing, Buntty inflicted rod blow on his head rendering him unconscious. He fell on the floor. Thereafter,



Fazal son of Vijay Masih reached and tried to rescue him. Samohan son of Jeeti attacked Fazal with a baseball bat. He tried to avoid the blow with his right hand and was hit on little finger of the right hand. His niece Mahi daughter of Shiva Masih also reached. Saim son of Ranjit attacked her with a sharp object above her right ear. His sister Babli wife of Ricky came to the spot and Ranjit son of Billi attacked her with a stone on her right leg. Naksh son of Ricky was attacked by Arik son of Ranjit with a stone, which hit his head. The accused left the spot with their respective weapons giving threats. Babli, Mahi and Naksh were medico legally examined in Civil Hospital, Phillaur. He and Fazal were admitted in Johal Hospital, Jalandhar for treatment.

3. Learned counsel for the petitioners submits that petitioners were falsely implicated in the cross case recorded on statement of Kiran, with ulterior motive. In fact, Kiran-complainant was accused in FIR No. 301 dated 12.11.2024 under Sections 118(2), 115(2), 74, 191(3), 190 Bharatiya Nyaya Sanhita, 2023, Police Station Phillaur, District Jalandhar. Truth of the matter was that complainant side was the aggressor. Petitioners were not arrested by the police for more than 01 year and 04 months and it was a clear case of false implication. Moreover, Kiran @ Karan who was complainant in the G D, was allowed anticipatory bail by this Court vide order dated 23.01.2025. Even Fazal @ Fazzan was allowed anticipatory bail by this Court vide order dated 28.03.2025. As such, petitioner also deserved to be released on anticipatory bail.

4. Learned State counsel has opposed the prayer for anticipatory bail arguing that petitioners caused grievous injury with sharp edged weapon on the



head of complainant and severity of the allegations did not entitle them to grant of anticipatory bail.

5. Copy of medico legal report of Kiran son of Kala Masih, complainant in the GD, is on record. He has suffered incised wound approx. 5cmx2cm over the left frontoparietal region of skull, bone deep. The injury with sharp edged weapon has been declared grievous in nature and offence under Section 118(2) Bharatiya Nyaya Sanhita, 2023 has been invoked. Petitioner cannot claim parity with Fazal @ Fazzan, a juvenile in conflict with law, who was allowed anticipatory bail. Nor is he entitled to the concession on the ground that complainant in the cross FIR has been allowed anticipatory bail. Recovery of weapon of offence is yet to be effected and release of the petitioner on anticipatory bail would interfere in the statutory investigational powers of the police, which is not permissible. Custodial interrogation of the petitioner is necessitated in the facts and circumstances of the case.

6. The petition, being bereft of any merit is hereby dismissed.

7. Nothing observed hereinabove shall be construed as an opinion on merits of the case.

8. Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

APRIL 02, 2026

Ajay Goswami

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