



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

109

CRM-M-17235-2026

Date of decision: 01.04.2026

Maninder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Manish Verma, Advocate for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J (ORAL)

1. Petitioner, who is accused in case FIR No.0026 dated 06.02.2026 registered against him, for commission of offences punishable under Sections 109 , 238 of BNSS and Section 27 of the Arms Act, 1959 at Police Station Division No.3, Police Commissionerate, Ludhiana, has filed the instant petition, praying for grant of pre-arrest bail.
2. Relevant facts as emerging from the documents on record be noticed hereinbelow:

“On 06.02.2026, ASI Sulakhan Singh, along with constable Bahadur Singh, were present at the police station when they received a secret information that a wedding ceremony of sister of Inderpreet Singh was held on 02.02.2026. The ceremony was attended by the relatives/friends of Inderpreet Singh and his family. One Sehajpreet Singh alias Sunny, resident of village Gill, Ludhiana, accompanied by his friend Manu, resident of Kalgidhar road, Fieldganj, Ludhiana, had also received the “invite” and were present in the ceremony. Sehajpreet Singh alias Sunny was carrying a loaded country-made pistol in his pocket. When he and few other persons were dancing, verbal altercation occurred as to who would fire the first shot. In this scuffle, the pistol got fired by Maninder Singh (present petitioner), which unfortunately hit Sahajpreet Singh alias Sunny in his lower abdomen, who immediately fell down and lost consciousness. Though other guests attending the ceremony should have immediately intimated the police authorities about the incident, but they took injured Sahajpreet Singh alias Sunny for treatment to some private



hospital and kept roaming around here and there. On 3.2.2026, present petitioner got Sahajpreet Singh admitted to CMC Hospital, Ludhiana, by giving wrong address and quietly slipped out from the hospital. Primarily based on the above information, formal case aforesaid FIR was registered and investigation was set into motion. Documents on record further reveal that immediately thereafter, injured Sahajpreet Singh Alias Sunny, who was admitted in the hospital, was taken in custody and presently lodged in Central Jail, Ludhiana.

Apprehending his arrest, the present petitioner, namely Maninder Singh filed an application for grant of pre-arrest bail. The same came to be dismissed vide order dated 11.03.2026 passed by the learned Addl. Sessions Judge, Ludhiana. Aggrieved of which, the present petition has been filed.

3. Learned counsel for the petitioner contends that the petitioner, a young boy aged about 26 years, has been falsely implicated in the present case purely based on the alleged information given by secret informer. The police did not inquire the matter from the family members of Inderpreet Singh or other guests, who were present at the wedding ceremony. That apart, unexplained delay of four days in lodging the FIR itself suggests that facts have been twisted and a coloured version has been portrayed. Next leg of submission raised by learned counsel for the petitioner is that, even if the allegations as levelled in the FIR are taken to be true at its face value (though not admitted), the incident occurred suddenly during the wedding ceremony. There was no pre-meditation of mind. There is nothing to suggest that the petitioner had the intention to cause/inflict injury to Sehajpreet Singh. Gun shots came to be fired accidentally and not intentionally as two friends were fighting over as to who would fire the first celebratory shot. It is further the submission of learned counsel that custodial interrogation of the petitioner is not needed, for nothing is to be recovered from him, but being a law-abiding citizen, he is willing to join the investigation as and when called for. Thus, prayer for allowing the petition has been made.

4. Per contra, while opposing the petition, learned State Counsel contends that both Sehajpreet Singh and the present petitioner arrived together to attend the wedding ceremony of sister of their friend, namely Inderpreet Singh. Both of them were aware that they had in their possession a fully loaded country-made revolver. So as to create an impression over the guests, a verbal altercation

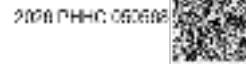


occurred between the petitioner and the other friend as to which one of them would fire the first celebratory shot. In this scuffle, Sehajpreet Singh suffered gunshot in his lower abdomen. Instead of reporting the matter to the police authorities, present petitioner kept on roaming with Sehajpreet Singh from one hospital to the other and finally on 03.02.2026, the injured was got admitted to CMC Ludhiana by the present petitioner by giving a wrong address. Continuing further, learned State counsel contends that even the past antecedents of petitioner are not satisfactory; he being involved in another criminal case registered under section 307 IPC. Therefore, custodial interrogation of the petitioner is needed to recover the illegal weapon, to find out the source from where they procured the said weapon etc. Investigation being at a nascent stage, the petitioner has failed to make out a case of exceptional depravity or hardship in his favour entitling him for the grant of this extraordinary relief of pre-arrest bail. Dismissal of the petition has been prayed for.

5. Before expressing any opinion on the merits of the rival contentions raised by learned counsel for the petitioner, learned counsel for the complainant and learned State counsel, it would be appropriate to refer to certain relevant judgments of Hon'ble Supreme Court, wherein the factors to be kept in mind while dealing with an application for grant of anticipatory bail, have been discussed.

Hon'ble the Supreme Court in "**P. Chidambaram vs. Directorate of Enforcement, ((2020) 13 SCC 791)**", has observed as under:-

"67. Ordinarily, arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. Power under Section 438 Cr.P.C 1973 is an extraordinary power and the same has to be exercised sparingly. The privilege of the pre-arrest bail should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after application of mind as to the nature and gravity of the accusation; possibility of applicant fleeing justice and other factors to decide whether it is a fit case for grant of anticipatory bail. Grant of anticipatory bail to some extent interferes in the sphere of investigation of an offence and hence, the court must be circumspect while exercising such power for grant of anticipatory bail. Anticipatory bail is not to be granted as a matter of rule and it has to



be granted only when the court is convinced that exceptional circumstances exist to resort to that extraordinary remedy.”

Hon’ble the Supreme Court while deciding the case titled as “**Ms. X Vs. The State of Maharashtra and another**”, (2023 SCC Online SC 279) held as under:-

“11.1. We propose to take a quick look at the considerations that ought to govern grant of anticipatory bail. There are a line of decisions of this court that have underscored the fact that while deciding an application for bail, the court ought to refrain from undertaking a detailed analysis of the evidence, the focus being on the prima facie issues including consideration of some reasonable grounds that would go to show if the accused has committed the offence or those facts that would reflect on the seriousness of the offence. The self-imposed restraint on delving deep into the analysis of the evidence at that stage is for valid reasons, namely, to prevent any prejudice to the case set up by the prosecution or the defence likely to be taken by the accused and to keep all aspects of the matter open till the trial is concluded.

In **Prasanta Kumar Sarkars case (supra) (Prasanta Kumar Sarkar Vs. Ashish Chatterjee and another)**, a Division Bench of this Court had highlighted the factors that ought to be borne in mind while considering the anticipatory bail application and had stated that :-

9. We are of the opinion that the impugned order is clearly unsustainable. It is trite that this Court does not, normally, interfere with an order passed by the High Court granting or rejecting bail to the accused. However, it is equally incumbent upon the High Court to exercise its discretion judiciously, cautiously and strictly in compliance with the basic principles laid down in a plethora of decisions of this Court on the point. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are:

- (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;*
- (ii) nature and gravity of the accusation;*
- (iii) severity of the punishment in the event of conviction;*
- (iv) danger of the accused absconding or fleeing, if released on bail;*
- (v) character, behaviour, means, position and standing of the accused;*
- (vi) likelihood of the offence being repeated;*
- (vii) reasonable apprehension of the witnesses being influenced; and*
- (viii) danger, of course, of justice being thwarted by grant of bail.”*



In **Nikita Jagganath Shetty @ Nikita Vishwajeet Jadhav vs. The State of Maharashtra and another**, 2025 AIR SC 3375, the Hon'ble Supreme Court held that "Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner."

6. Facts leading to registration of the case have already been noticed in para 2 of the order. Both Sehajpreet Singh and present petitioner, who arrived together to attend the wedding ceremony of sister of their friend, namely Inderpreet Singh, were fully conscious of the fact that they were carrying a fully loaded country-made revolver. Material on record reflects that, in an attempt to create an impression among the guests, a verbal altercation occurred between them as to who would fire the first celebratory shot. Such conduct, involving the conscious possession and reckless handling of a firearm in a public gathering, cannot be termed as an innocuous or momentary lapse. The nature and gravity of the act, coupled with the element of conscious possession and the potential risk posed to public safety, dissuades this Court to exercise the extraordinary discretion of grant of pre-arrest bail in favour of petitioner.

7. Agreeing with the submissions made by learned State counsel, this Court is of the opinion that custodial interrogation of the petitioner is needed to recover the alleged weapon used by the petitioner and to find out the source from where it was procured.

Dismissed.

01.04.2026
manoj

(AARADHNA SAWHNEY)
JUDGE

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