



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
281

CRM-M No.19010 of 2026
Date of decision: 22.04.2026

Jagtar Singh ... Petitioner
Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Kamaldeep Kaur, Advocate,
for the petitioner.

Mr. Durgesh Garg, AAG, Punjab,
for the respondent-State.

Mr. H.S. Sidhu, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0028	04.03.2026	Chhajali, District Sangrur	115(2), 118(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (118 and 109 of BNS added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Gurdip Singh alleging therein that on the

2026:PHHC:061312



evening of 03.03.2026 when he along with a co-villager was playing glass marble balls, the petitioner accompanied by his son Gurvinder Singh and Jaspreet Singh reached there on a motorbike. Accused Gurvinder Singh struck a blow on his head with a gandasa. The petitioner struck another blow with gandasa thereby injuring his left wrist and thumb. The accused Jaspreet Singh gave kicks to him. On clamour being raised, some persons had reached there and then the assailants fled from the spot. He was taken to hospital for treatment.

3. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 30.03.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injuries that have been attributed to him are simple in nature. It is a case of version and cross version. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that he deserves to be extended benefit of pre arrest bail.

5. Power of Attorney as filed by the complainant is taken on record. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that the allegations against the petitioner are quite serious in nature as along with the co-accused, he had caused

2026:PHHC:061312



several injuries on the person of the victim. The head injury as sustained by the victim has been opined to be dangerous to life. The injuries were caused in furtherance of common intention with the co-accused. There is no exceptional or extraordinary circumstance for grant of pre arrest bail. For conducting proper investigation, custodial interrogation of the petitioner is must. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused Gurvinder Singh who is his son and Jaspreet Singh, is alleged to have voluntarily caused simple as well as grievous injuries to the victim. Though the injuries which has been specifically attributed to him have been opined to be simple in nature, however, the active complicity of the petitioner in the commission of subject offences stand prima facie established. The allegations against him are serious in nature. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. 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's

2026:PHHC:061312



fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

22.04.2026
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No