

2026:PHHC:059712



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20101-2026

Raj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	20.04.2026
2	The date when the judgment is pronounced	21.04.2026
3	The date when the judgment is uploaded on the website	21.04.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amanpreet Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

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. 175 dated 29.06.2025 registered under Section 109, 331(6), 115(2), 324(4), 191(3), 190 and 238 of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) and at Police Station Civil Lines Bathinda.

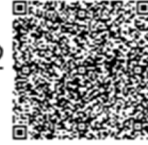
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2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Shiv Lal alleging therein that on the night of 28.06.2025, the accused Gurlal Singh @ Ladi while passing through the street in front of his house, gave taunt to his daughter-in-law Poonam while saying that after giving birth to children, she had thrown them in the street. Poonam resisted to the same and then the accused Gurlal Singh @ Ladi accompanied by the co-accused including the petitioner, entered inside the house of the complainant. He made an exhortation to teach a lesson to the complainant. All of them gheraoed the house of the complainant, entered inside and then started throwing bricks and stones and using *daangs* etc. The petitioner who was carrying handle of a handpump struck a blow with the same on the back side of the head of the complainant thereby causing injury to him. The other assailants also caused injuries on the person of the complainant and his wife and thereafter, they fled away. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which was dismissed by the Court of learned Additional Sessions Judge, Bathinda vide order dated 05.03.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The only allegation against him is that he had struck one blow with handle of handpump on the back of the complainant. The injury that has been attributed to him has been opined to be simple in nature. The petitioner is a juvenile. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Co-accused Meena Devi, Bed Narayan Paswan and Doulat Devi have been

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extended benefit of bail. On parity, he too deserves to be released on bail. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner. While admitting the fact that the injury attributed to the petitioner has been opined to be simple in nature, it is argued that since he had formed membership of an unlawful assembly with the co-accused who had caused serious injuries on the person of the complainant and other injured, therefore, the petitioner is vicariously liable and does not deserve to be extended benefit of bail.

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

6. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have caused injuries to the complainant. The injury that has been attributed to him has been opined to be simple in nature. Given the nature of the allegations as levelled against the petitioner and the part attributed to him, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required and he has made out a case for grant of anticipatory bail. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. As such, the petition is allowed. The petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within ten days from today and subsequent also as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on

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bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS.

7. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

8. Since the main petition has been allowed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

21st April, 2026
Parveen Sharma

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