

2026.PHHC.074678



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-19672-2026

Date of decision: 12th May, 2026

Balwant Singh @ Bant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kunal Sharma, Advocate and
Mr. Sahdev, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

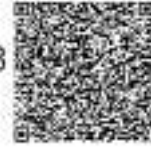
Mr. Monty Goyal, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

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. 28 dated 03.03.2026 registered under Sections 115(2), 118(1), 351(3), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 118(2) of BNS was added later on) at Police Station Sudhar, District Ludhiana Rural.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant-Harpreet Singh, alleging therein that on the morning of 20.01.2026, he, along with his daughter and son, was present in his house. On hearing some loud noises, he came outside and found

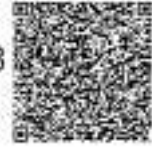
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that accused Billi and Mehtab Singh were using their Bullet motorcycle for the purpose of making loud sounds and were also shouting. The complainant went near the main gate of his house and stopped both of them from doing hooliganism. Thereupon, both of them started hurling abuses to him. Thereafter, he came inside his house. Within a few minutes, the above named Billi and Mehtab Singh, accompanied by the present petitioner and co-accused Gagandeep Singh and Prince, came in front of his house. They were armed with weapons. They entered inside his house and opened an attack upon him. Accused Billi struck a blow with a *kirpan* on his head, whereas the present petitioner struck blows with a stick on his legs. As a result, he fell down and was further assaulted by all of them. The accused also caused injuries to his son and misbehaved with his daughter, and thereafter, they fled away from the spot. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Ludhiana, which was dismissed vide order dated 06.04.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The subject offences are triable by a Magistrate. There is a delay of 42 days in reporting the matter to the police. The grievous injuries sustained by the victims have not been attributed to him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus argued that the present petition deserves to be allowed.

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4. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that the allegations against the petitioner are serious in nature, as by forming an unlawful assembly with the co-accused and in prosecution of the common object thereof, he voluntarily caused simple as well as grievous injuries to the complainant and his son. The complainant as well as his son had sustained serious injuries. For conducting a thorough and proper investigation in the matter, custodial interrogation of the petitioner is must. No exceptional or extraordinary circumstance has been made out in favour of the petitioner for grant of anticipatory bail. It is, therefore, stressed that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to have formed membership of an unlawful assembly along with the co-accused and in prosecution of the common object thereof, is alleged to have assaulted the complainant and his son. Learned counsel for the complainant has also shown some photographs indicating that the complainant had sustained a deep wound on his arm. Apart from the other offences, the petitioner has also been booked for commission of offence punishable under Section 118(2) of the BNS, which is serious in nature. Taking into consideration the type of weapons used by the assailants, the nature of the injuries sustained by the victims and the role attributed to the petitioner, as well as the attendant facts and circumstances of the case, this

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Court is of the considered opinion that, for the purpose of conducting a thorough and proper investigation in the matter, custodial interrogation of the petitioner is must. Even otherwise, the petitioner has failed to make out any exceptional or extraordinary circumstance making out a case for grant of pre-arrest bail to him. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner. Accordingly, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

12th May, 2026
Parveen Sharma

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