

2026:PHHC:062637



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20025-2026

Gurdhir Singh Mann

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	23.04.2026
2	The date when the judgment is pronounced	27.04.2026
3	The date when the judgment is uploaded on the website	27.04.2026
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. Tanvir Singh Grewal, Advocate for the petitioner.

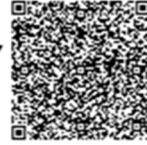
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Arshpreet Singh Khadial, Advocate for the complainant.

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 GDR No. 33 dated 01.02.2026 registered under Sections 109 of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) and 27 of Arms Act, 1959 at PS Phul, District Bathinda, arising out of FIR No. 16 dated 01.02.2026 registered under Sections 109 and

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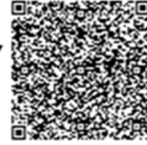


3(5) of BNS (Section 27 of Arms Act added later on) at Police Station Phul, District Bathinda, Punjab as a cross case.

2. Adumbrated facts relevant for the purpose of disposal of this petition are that the aforementioned FIR No. 16 was registered on the basis of statement recorded by the complainant-Gurdhir Singh, i.e. present petitioner, on 01.02.2026, alleging that in the morning of the same day, he was going to deliver milk and when he had crossed about 200 yards of area from his house, he was intercepted by Sukhdeep Singh and Jagtar Singh who came riding on a bike and hit the vehicle of the petitioner with the same. Sukhdeep Singh then picked up a *kirpan* from his motor bike and struck a blow with the same on the neck of the petitioner with intent to kill him, whereas Jagtar Singh made exhortations. The petitioner/complainant managed to push them away and entered into the house of Ranjit Singh while raising clamour and then the assailants fled away.

3. After registration of FIR, investigation proceedings were initiated. On the same day, at about 9:26 PM, the GDR No. 33 was entered on the basis of the statement recorded by Labh Singh son of Makhan Singh, brother of Sukhdeep Singh accused in the FIR, alleging therein that on 16.01.2026, some quarrel had taken place between Sukhdeep Singh and the petitioner and the latter had sustained injuries. A compromise was got effected subsequently. He alleged that in the morning of 01.02.2026, while Sukhdeep Singh was going towards his house on a motor bike, the petitioner had fired a shot with his licenced revolver upon him with intent to kill him, thereby

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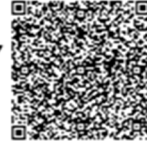


injuring the right side of his abdomen. The GDR was registered by way of a cross case. Investigation proceedings have been initiated in the FIR as well as in the GDR and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Bathinda which was dismissed vide order dated 27.02.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in the GDR which has been registered as a counter blast to the FIR No. 16 already got registered by him. In fact, it was he who was assaulted by Sukhdeep Singh on the fateful day by striking blows with a sword. It was only in his self defence that he was compelled to fire a shot upon the person of Sukhdeep Singh otherwise, he himself would have been killed. He was not at all the aggressor in this case. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel assisted by learned counsel for the complainant and while relying upon the status report has vehemently argued that there are serious allegations against the petitioner. He had fired shot with his licenced revolver upon the person of Sukhdeep Singh with intent to kill him. For the purpose of recovery of the firearm as well as for conducting proper and thorough investigation in the matter, his custodial interrogation is required. There is no exceptional or sparing circumstance to extend benefit of bail to the petitioner. It is, therefore, argued that the petition does not deserve to be allowed.

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

7. It is a case of version and cross-version. The petitioner has placed on record copy of his medico legal report showing that he had sustained an incised wound measuring 12.6 cm on his neck and this injury has been opined to be serious in nature. However, admittedly he had also fired a shot with his licensed revolver on the person of Sukhdeep Singh who had sustained firearm injuries in the form of entry and exit wound which are obviously dangerous to life. It is only after thorough assessment of the evidence to be produced on record and on conducting proper investigation that any conclusion can be drawn as to who was the aggressor in this case. However, *prima facie*, the petitioner appears to have exceeded the right of private defence. Given the nature of the allegations and the part attributed to the petitioner, this Court is of the considered opinion that the custodial interrogation of the petitioner is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. Moreover the powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th April, 2026
Parveen Sharma

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