



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.20756 of 2026
Date of decision: 01.05.2026**

Munish Ghai

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Bhriagu Dutt Sharma, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab
for the respondent-State.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in case FIR No.21 dated 24.03.2025, registered under Sections 109, 118(1), 118(2), 332(c), 296, 351(3) and 3(5) of the BNS, 2023 (formerly Sections 307, 324, 326, 449, 294, 506 and 34 IPC, 1860) at Police Station Division No. 4, Jalandhar.

2. Briefly, the case of the prosecution is that on 22.03.2025 at about 01:30 PM, the complainant Rohit had gone to Hussain Beauty Saloon, Pacca Bagh, Jalandhar, for a haircut. At that time, the present petitioner, along with co-accused Manish, Jatin and Ankush, allegedly armed with sharp-edged weapons (*dattars*), came there and raised a *lalkara*



to catch hold of the complainant. It is alleged that Manish gave a *dattar* blow on the head of the complainant with an intention to kill him, which he tried to ward off, resulting in an injury on his arm. Thereafter, co-accused Jatin inflicted a blow on the back of his head and the petitioner along with co-accused Ankush allegedly gave further blows and threatened the complainant with dire consequences. The occurrence is stated to have taken place due to a dispute, as the complainant had objected to the alleged sale of intoxicants by the sister of co-accused Manish and Jatin. On the basis of these allegations, the present FIR was registered against the petitioner and his co-accused. During investigation, the MLR of the complainant revealed two injuries, which were attributed to co-accused Manish and Jatin.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and has no active role in the alleged occurrence. It is submitted that as per the FIR itself, the only allegation against the petitioner is that he raised a *lalkara* and allegedly inflicted a blow on the right arm of the complainant, which is a non-vital part of the body and the said injury has been declared to be simple in nature. It is further argued that the main and grievous injury on the head, which has been declared dangerous to life, has been attributed to co-accused Jatin and not to the present petitioner. Learned counsel has also submitted that the medical evidence does not support the prosecution version qua the petitioner, as no X-ray examination was conducted and there is nothing on record to show as to how the doctor opined the nature of the injury as grievous without conducting any radiological investigation. It



is further contended that co-accused Ankush has already been granted anticipatory bail in similar circumstances and, therefore, the petitioner is also entitled to the same relief on the ground of parity. On these grounds, it is prayed that the petitioner be granted the concession of anticipatory bail.

4. On the other hand, learned State counsel has filed status report, which is taken on the record and opposed the prayer for anticipatory bail. It is submitted that the petitioner is specifically attributed the role of raising a *lalkara* and inflicting a forceful blow with a sharp-edged weapon (*dattar*) on the person of the complainant, which is duly supported by the statement of the complainant as well as the medical evidence on record. It is contended that the injury report reflects grievous injuries caused by a sharp-edged weapon, indicating the severity of the assault and the active participation of the petitioner. It is further submitted that the weapon of offence is yet to be recovered and the custodial interrogation of the petitioner is necessary for a fair and effective investigation. Learned State counsel has also argued that the petitioner has not joined the investigation despite repeated efforts and has been evading arrest, and on account of his non-cooperation, he has been declared a proclaimed offender by learned Chief Judicial Magistrate, Jalandhar, vide order dated 23.04.2026. It is also submitted that the petitioner has a criminal background, as another FIR has been registered against him.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. The allegations against the petitioner are grave and serious in



nature. As per the prosecution version, the petitioner is specifically attributed an active role in the occurrence, inasmuch as he raised a *lalkara* and inflicted a *dattar* blow upon the complainant with an intention to kill him. Though the said blow, aimed at the head, landed on the right arm when the complainant attempted to save himself, the manner of assault and the weapon used clearly indicate the requisite intent and participation of the petitioner in the commission of the offence.

7. The contention of the petitioner regarding absence of X-ray examination does not persuade this Court at this stage, as the nature of injuries, the use of a sharp-edged weapon and the manner in which the occurrence took place *prima-facie* reflect the seriousness and gravity of the offence. The medical evidence on record, coupled with the statement of the injured, sufficiently indicates that the injuries were not superficial and were caused with considerable force.

8. It is further not disputed that the petitioner has not joined the investigation despite opportunities and has been declared a proclaimed offender by the competent Court. Such conduct disentitles him from seeking the discretionary relief of anticipatory bail. The recovery of the weapon of offence is also yet to be effected and custodial interrogation appears necessary for a fair investigation.

9. In view of the aforesaid facts and circumstances, particularly the active role attributed to the petitioner, the nature of the injuries, and his conduct in evading the process of law, this Court is not inclined to grant the concession of anticipatory bail.



10. Accordingly, the present petition is dismissed.
11. However, nothing observed herein shall be construed as an expression on the merits of the case.
12. All pending applications, if any, also stand disposed of.

01.05.2026
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(MANDEEP PANNU)
JUDGE

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