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

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CRM-M-22197-2026

Date of decision: 6th May, 2026

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Ramandeep Kaur Brar, Advocate for the petitioner.
Mr. Roshandeep Singh, Assistant Advocate General, Punjab.
Mr. Veneet Sharma, 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. 60 dated 18.03.2026 registered under Sections 115(2), 117(2), 351(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 304 of BNS added later on) at Police Station City Moga, District Moga.

2. The aforementioned FIR has been registered on the basis of statement record by the complainant Maninder Singh, alleging that on 11.03.2026, he was going towards his house after attending a Kisan Union meeting and while on the way, he found that Bakshish Singh, Satpal Singh, Avtar Singh and Goldy were standing with their motor bikes alongwith two unknown persons with intention to kill him. When the complainant crossed them, Avtar Singh and Satpal Singh made an exhortation by saying that their enemy had come and he should not be left alive. Accused Goldy also made an

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exhortation challenging him. Apprehending the danger, the complainant rushed towards his house on his scooter. As soon as he reached at his house, two persons who were standing along with the above named Bakshish Singh, Satpal Singh, Avtar Singh and Goldy reached there on a motor bike by following him. They were armed with weapons. One of them struck blows with baseball bat, thereby injuring the palm of his right hand, due to which he had fallen down and sustained injuries on his right knee and hand. He sustained another injury at his left elbow at the hands of that person. On rescue alarm being raised, both of them fled from the spot. The victim was taken to the hospital for treatment and had remained admitted there.

3. After registration of FIR, investigation proceedings have been initiated and are underway. As per the medical report, two injuries sustained by the complainant were found to be grievous in nature. CCTV footage related to the occurrence was obtained. On 25.03.2026, the complainant recorded a supplementary statement to the effect that he had come to know that the petitioner along with co-accused Sajan, Balraj, Laadi and Mani was involved in the occurrence and had caused injuries to him. He also disclosed that they had snatched money to the tune of Rs. 2,000/- from him. Offence under Section 304 of BNS was added. Accused Ajay and Sajan were arrested. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Sessions Judge, Moga, which was dismissed vide order dated 06.04.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. As per the status report, the role attributed to

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him is that he had followed the complainant with intent to caused injuries and co-accused Laadi and Mani had assaulted the victim and snatched his purse. As such, neither the injuries on the person of the victim nor any other specific overt act has 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. No useful purpose would be served by detaining him into custody. It is, thus, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that taking into consideration the gravity of the allegations as levelled against the petitioner and the nature of the injuries sustained by the complainant as well as for recovery of snatched money and conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. It is, therefore, stressed that the petition does not deserve to be allowed.

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

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have voluntarily caused simple as well as grievous injuries to the victim. However, as per the status report itself, the only role attributed to him is that he had followed the complainant. The injuries, which have been sustained by the complainant, have been attributed to co-accused Laadi and Mani and not to the petitioner. The petitioner was not even named in the FIR and his name had been disclosed by the complainant in his

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supplementary statement. It is also significant to note that there is delay of 07 days in lodging of the FIR. Taking into consideration the above discussed facts and the circumstances peculiar to the case, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. It is also well settled that pre-trial incarceration should not be a replica of post-conviction sentencing. As such, the petition is allowed and the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within a period of 10 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 interim 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.

8. 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.

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

[MANISHA BATRA]
JUDGE

6th May, 2026
Parveen Sharma

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