

2026:PHHC:072770



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.22968 of 2026

Jaspal Singh alias Palli ... Petitioner

Versus

State of Punjab and another ... Respondents

1.	The date when the judgment is reserved	08.05.2026
2.	The date when the judgment is pronounced	11.05.2026
3.	The date when the judgment is uploaded on the website	11.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the 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. Rahul Bhargava, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

Mr. Kashav Chadha, Advocate,
for respondent No.2.

MANISHA BATRA, J.

1. 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. 44 dated 31.05.2025 registered under Sections 103, 191(3), 190 and 3(5) of

2026:PHHC:072770



the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 (Sections 61(2), 49, 115(2) and 249 of BNS added and Section 3(5) of BNS deleted later on) at Police Station Verka, District Police Commissionerate Amritsar.

2. The FIR was registered on the basis of the basis of complaint made by the complainant Sukhdev Singh @ Raju on 31.05.2025, alleging therein that on the same morning, Kaka and his sister Rajveer Kaur made a call to his nephews Shamsher Singh @ Shera and Manpreet Singh alias Bobby, asking them to come near Nanda Hospital. Both of them went there and were encircled by accused Kaka, his sister Rajveer Kaur, and 10-12 unknown persons. All of them opened an attack upon Manpreet Singh and Shamsher Singh and caused injuries to them on their heads with the butts of pistols which they were carrying. The victims had fallen down and raised clamour, on hearing which, some persons reached at the spot and then the assailants fled away. The injured were rushed to the hospital. The complainant further alleged that when his nephew Manpreet Singh reached CHC Hospital, he received a call and was asked to come to Makhan Dhaba for a compromise. His nephew apprised him about this fact. On hearing so, the complainant, along with his brother Kuldeep and friend Randhir Singh reached at the informed place, where accused Kaka and his father Mangal Singh were found present along with some unknown persons. A scuffle took place between them, and Kaka and his accomplices had fired shots at him,

2026:PHHC:072770



from which he had a narrow escape. However, four shots were fired at his brother Kuldeep Singh, who succumbed to the firearm injuries.

3. After registration of FIR, investigation proceedings were initiated. The accused Mangal Singh @ Kala was arrested on 31.05.2025. On his disclosure, Rahul Kumar @ Rahul was nominated as co-accused and was arrested on the same day. The accused Rahul Kumar suffered a disclosure statement which led to nomination of Amarjit Singh @ Cheena as the co-accused. Amarjit Singh @ Cheena on his arrest suffered disclosure statement on 02.06.2025 on the basis of which the present petitioner apart from some more persons was nominated as accused. He disclosed that the petitioner was armed with his own pistol and had fired shots with the same. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 27.03.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. The complainant knows him very well before hand and if he was actually present at the spot, he would certainly have been named by the complainant. The complainant has even sworn an affidavit to this effect. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to

2026:PHHC:072770



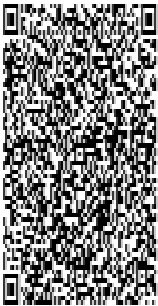
be allowed.

5. Status report has been filed. Learned State counsel assisted by learned counsel for respondent No.2 has argued that the allegations against the petitioner are serious in nature. Specific act of using his own firearm and firing with the same has been attributed to him. For the purpose of recovery of weapon of offence as well as for conducting proper investigation, the custodial interrogation of the petitioner is must. No exceptional circumstance for grant of pre arrest bail is made out. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, is further alleged to have used his weapon thereby causing injuries to the victim Kuldeep Singh leading to his homicidal death. He was not named in the FIR but his name has come up in the disclosure statement of the co-accused and specific act has been attributed to him. At this stage, no relevance whatsoever can be given to the affidavit which is alleged to be sworn by the complainant. For conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. It is well settled proposition of law that arrest is a

2026:PHHC:072770



part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. 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.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.05.2026
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No