



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

110**CRM-M-23636-2026 (O&M)****Date of decision : 12.05.2026**

Sukhwinder Singh @Samber & Anr.

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Kartik Gandhi, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

***********SURYA PARTAP SINGH, J. (Oral)**

This petition for pre-arrest bail is the first petition filed by the petitioners under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.36 dated 14.02.2026, for the commission of offence punishable under Sections 331, 115(2), 351(2), 324, 190 and 117(2) of Bharatiya Nyaya Sanhita, 2023, Police Station Sidhwan Bet, District Ludhiana.

2. The abovementioned FIR came into being at the instance of 'Sukhdev Singh', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that he was having a matrimonial dispute with his wife, and that they were having strained relationship. According to complainant in the intervening night of 9/10 February 2026, at about 03:00-04:00 am, his mother-in-law 'Sarabjit Kaur', brother-in-law



‘Sukhwinder Singh’ (the petitioner No.1 herein) and ‘Balwant Singh’ (the petitioner No.2 herein), along with ‘Manjot Kaur’ and 2-3 unknown persons came to his house in a car. As per complainant they were armed with deadly weapons, such as baseball bats and sticks etc. According to complainant, his wife opened the door of the house and therefore, they managed to enter the house, and launch an assault upon him. The complainant further alleged that multiple injuries were inflicted on his person. It was claimed by the complainant that in total ten injuries were suffered by him.

3. Vide order dated 28.04.2026, the petitioner No.2 was admitted to interim anticipatory bail, subject to the condition of furnishing bail/surety bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

4. Heard.

5. It has been submitted by learned counsel for the petitioner No.2 that in compliance with order dated 28.04.2026, the petitioner No.2 has joined the investigation.

6. It has been stated by learned State Counsel, being assisted by learned counsel for the complainant, on the instructions of ASI Rajinder Singh, that both the petitioners have joined investigation, and that for further investigation custodial interrogation of petitioner No.2-Balwant Singh is not required.

7. With regard to petitioner No.1-Sukhwinder Singh @Samber, it has been contended by learned State Counsel, being assisted by learned counsel for the complainant, that for the purpose of recovery of vehicle,



which was used at the time of commission of offence, custodial interrogation of the petitioner No.1 is required. It has also been contended by learned counsel for the complainant that the nature of offence allegedly committed by the petitioner is of grievous nature, and that in view of totality of circumstances, the petitioner No.1 is not entitled to the concession of bail.

8. In view of the fact that custodial interrogation of the petitioner No.2-Balwant Singh is not required, for further investigation of the case, the order dated 28.04.2026 qua him is hereby made absolute.

9. As far as the request for anticipatory bail qua petitioner No.1-Sukhwinder Singh @Samber is concerned, following are the points which need to be taken into consideration:-

- i. that the petitioner No.1 has already joined the investigation;
- ii. that the recovery of vehicle can be facilitated by issuing a direction to the petitioner No.1 to join the investigation;
- iii. that the offence is triable by the Court of Judicial Magistrate;
- iv. that as per learned counsel for the petitioners, petitioners have no criminal antecedents;
- v. that the co-accused of the petitioners, having similar role, have already been accorded the benefit of interim anticipatory bail;
- vi. that the investigation and trial are not likely to be concluded in near future;
- vii. that the detention of petitioners in judicial lock-up is not likely to serve any purpose;
- viii. that custodial interrogation of the petitioners is not likely to produce a fruitful result;



- ix. that there is nothing on record to show that while on interim anticipatory bail, the petitioners are likely to tamper with the evidence or influence the witnesses; and
- x. that there is nothing on record to show that while on interim anticipatory bail, the petitioners will not participate/ cooperate in the investigation.

10. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby observed that petitioner No.1- Sukhwinder Singh @Samber, too, is entitled to the concession of anticipatory bail. Hence, the order dated 28.04.2026 qua petitioner No.1, too, is hereby made absolute.

(SURYA PARTAP SINGH)
JUDGE

12.05.2026
Vinod

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