



108

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-24369-2026**

Manpreet Singh

...Petitioner

Versus

State of Punjab

....Respondent

Date of Decision: 01.05.2026**Date of Uploading: 01.05.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:** Mr. H.S. Sandhu, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner, in case bearing FIR No.109 dated 16.06.2025 registered under Sections 109, 190, 191 (Section 238 added later on) of BNS 2023 and Sections 25, 27, 54, 59 of the Arms Act, at Police Station Sadar Patti, District Tarn Taran.

2. The gravamen of the FIR in question reflects that the FIR in question was registered on the basis of a complaint filed by the complainant—Sukhdev Singh, wherein it is alleged that Veer Kaur, along with her relatives, used to provoke disputes with the complainant-side. He has further alleged that on 15.06.2025 at about 10:00 PM, while he alongwith his family was having dinner, Veer Kaur along with her nephew

Jobanpreet Singh, Billa (armed with a pistol), the petitioner (*herein*) (armed with a baseball bat), Arshdeep Singh (armed with a wooden stick) and 6–7 unknown persons, one of whom was armed with a country-made pistol, came to his house and started thumping the main gate. It is further stated that when he came outside, Veer Kaur raised a *lalkara* to teach them a lesson, whereupon accused-Billa pushed him down and all other assailants started beating him. Upon hearing the commotion, other family members came outside. Thereafter, Billa fired a shot from his pistol, which hit the complainant's daughter on the chest, and another unknown person fired a shot from a country-made pistol with an intention to kill, the pellet of which hit the complainant's brother-in-law on the head. The complainant has further alleged that the petitioner (*herein*), who was armed with a baseball bat, had attacked on his daughter and brother-in-law with the said baseball bat. He has further stated that upon their raising alarm, all the accused persons fled away from the spot along with their respective weapons in an Innova car. Upon these set of allegations, the present FIR came to be registered against the accused persons.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. Learned counsel for the petitioner submits that the petitioner has been falsely implicated into the FIR in question and no specific injury is attributable to the petitioner. It is further contended that there is a delay of one day in lodging the FIR.

3.1. Learned counsel asserts that the police have not conducted a fair and impartial investigation and the inquiry conducted so far is not only incomplete, but also tainted with bias. Learned counsel has asserted that

nothing is to be recovered from the petitioner. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the petitioner is ready to join the investigation and, hence, no useful purpose would be served by sending him behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the petition in hand by arguing that the petitioner is specifically named in the FIR and a distinct and active role has been attributed to him. It is contended that the petitioner was armed with a baseball bat and participated in the assault, which resulted in serious injuries to the daughter and brother-in-law of the complainant. Learned State counsel has further argued that the petitioner and his other co-accused had attacked upon the complainant-party in a pre-meditated manner. Given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if he is enlarged on bail. On these submissions, dismissal of the present petition is entreated for.

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

6. As per the case put forth in the FIR in question, indubitably, grave and serious allegations have been levelled against the petitioner. The petitioner has been specifically named and attributed a distinct role in the offence in question. Further, the allegations indicate that the petitioner actively participated in the attack and assaulted the injured persons with a baseball bat. The manner of occurrence, *prima facie* indicates that the attack was executed in a premeditated manner. As per the allegations and as per

the case set out by the prosecution, it has also come on record that firearms were used and injuries were caused, which *prima facie* reflect the seriousness and gravity of the offence. The contention regarding delay of one day in registration of FIR does not carry insignificant weight at this stage, the same being minimal and inconsequential in the facts and circumstances of the case.

No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*], the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which

would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

8. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 01, 2026

Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No