

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

(201)

CRM-M-26003-2026 (O&M)
Date of Decision: **03.07.2026**

SANJEEV KUMAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

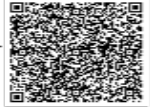
Mr. Jasjit Singh Rattu, DAG, Punjab.

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VIRINDER AGGARWAL, J. (Oral)

1. First Petition under Section 482 of BNSS 2023 (Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in case FIR No. 249 dated 08.12.2025 U/s 115(2), 117(2), 351, 126(2), 190, 191(3), 118(2) of BNS, 2023 (Sections 323, 325, 506, 341, 148, 149 IPC) P.S. Division No.1, Distt. Jalandhar.

2. The prosecution case, in brief, is that the present FIR came to be registered on the statement of the complainant, Atma Raj, who alleged that on 11.11.2025, while attending the marriage celebrations of one Honey in the locality, an altercation ensued at about 11:00 p.m. with co-accused Sanjeev Kumar @ Boggi and Raj Kumar @ Raja, who allegedly started abusing him. Thereafter, the complainant called his brother, Parvinder Kumar, who, along with their mother Kulwinder Kaur, arrived at



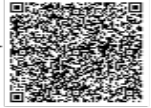
the spot to take him home. It is alleged that while they were returning, the accused persons, namely Sanjeev Kumar @ Boggi, Raj Kumar @ Raja, Shanu Pal, Kulwinder Kaur and Manga, who were allegedly armed with deadly weapons, intercepted them outside their residence. On the exhortation (*lalkara*) of accused Kulwinder Kaur, the accused allegedly launched a concerted assault upon the complainant and his family members. The complainant alleged that Sanjeev Kumar @ Boggi and Raj Kumar @ Raja inflicted multiple blows with a *datar* upon him and his brother, while Manga also caused injuries with the reverse side of the weapon. It is further alleged that Kulwinder Kaur and Shanu Pal assaulted the complainant's mother and brother by pulling their hair and administering fist and kick blows, with Kulwinder Kaur also allegedly striking the complainant's mother with a brick. Upon the raising of alarm, local residents intervened, whereafter the injured were shifted to the Civil Hospital, Jalandhar, for medical treatment. On the basis of the aforesaid allegations, the present FIR was registered for the offences punishable under Sections 115(2), 117(2), 351, 126(2), 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He was not present at the place of occurrence and has been arrayed as an accused on the basis of omnibus and exaggerated allegations without any specific overt act warranting custodial interrogation. It is further submitted that the allegations against the petitioner are general in nature and no recovery is to be effected from him. The investigation does not require his custodial



interrogation, and he is ready and willing to join the investigation as and when directed by the Investigating Agency. Learned counsel further contends that the case of the petitioner is squarely covered by the principle of parity, inasmuch as similarly situated co-accused, namely Shanu Pal, Kulwinder Kaur, and Rajinder Kumar, have already been granted the concession of anticipatory bail/interim anticipatory bail by this Hon'ble Court vide orders dated 26.02.2026, 24.03.2026, and 15.04.2026, respectively. The petitioner stands on an identical footing and, therefore, deserves the same relief. It is lastly submitted that the petitioner has clean antecedents, undertakes to cooperate with the investigation, and shall abide by all the conditions that may be imposed by this Hon'ble Court. Accordingly, it is prayed that the present petition be allowed and the petitioner be granted the concession of anticipatory bail.

4. Learned State counsel opposes the present petition and submits that the allegations against the petitioner are specific and unequivocally disclose his active participation in the occurrence. It is contended that the petitioner, along with the other accused, formed an unlawful assembly and actively participated in the assault, resulting in grievous injuries to the complainant party. The investigation is still in progress, and his custodial interrogation is stated to be necessary for conducting a fair, effective, and comprehensive investigation. It is further submitted that the mere grant of anticipatory bail to certain co-accused does not entitle the petitioner to claim the same relief as a matter of right, as his role is distinct and is required to be assessed independently on the basis of the material collected during the course of investigation.

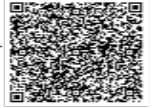


Accordingly, learned State counsel prays that, having regard to the gravity of the allegations, the specific role attributed to the petitioner, and the nature of the offences involved, the present petition, being devoid of merit, deserves to be dismissed.

5. I have heard learned counsel for the parties and have gone through the paper book minutely with their able assistance.

6. Upon a *prima facie* consideration of the rival submissions and the material available on record, this Court finds no ground to extend the extraordinary concession of anticipatory bail to the petitioner. The record reveals that the prosecution has placed on record CCTV footage, which *prima facie* depicts the petitioner armed with a *datar* at the time of the occurrence. The said electronic evidence lends substantial support to the prosecution case and is further corroborated by the medical evidence on record.

6.1. It is also evident that the petitioner has been specifically attributed the injury declared to be grievous in nature. The medical record discloses that the complainant sustained a fracture of the frontal parietal bone, i.e. on a vital part of the body, thereby lending credence to the ocular version. At this stage, the contention raised on behalf of the petitioner that he is entitled to the concession of anticipatory bail on the ground of parity with the co-accused cannot be accepted. The principle of parity is not of universal application and can be invoked only where the role attributed to the accused is identical. In the present case, the petitioner stands on a distinct footing, inasmuch as the grievous head injury has been specifically attributed to him.



6.2. In view of the nature and gravity of the allegations, the specific role assigned to the petitioner, the corroborative CCTV footage, and the medical evidence supporting the prosecution version, this Court is of the considered opinion that no case is made out for grant of the extraordinary relief of anticipatory bail. Accordingly, without expressing any opinion on the merits of the case, the present petition, being devoid of merit, is hereby **dismissed**.

7. It is, however, clarified that the observations recorded hereinabove are purely prima facie in nature and confined to the adjudication of the present petition for anticipatory bail. Nothing contained in this order shall be construed as an expression of opinion on the merits of the case, and the learned Trial Court shall proceed independently, uninfluenced by any observations made herein.

8. In view of the fact that the principal matter stands finally adjudicated, all pending miscellaneous applications, if any, also stand disposed of accordingly. No further orders are required to be passed in that regard.

03.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No