



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

(206)

CRM-M-27024-2026 (O&M)
Date of Decision: 19.5.2026

Manpavitter Singh @ Manpavitar Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Manbir Singh Basra, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. Yogesh Goel, Advocate,
Mr. Arun Jaitley, Advocate and
Mr. Mayank Kalra, Advocate
for respondent No. 2.

KIRTI SINGH, J. (ORAL)**CRM-21883-2026**

The application is allowed as prayed for. Annexures C-1 to C-3
are taken on record.

CRM-M-21883-2026

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner, in case FIR No.51 dated 22.03.2026, under Sections 316(2), 115(2), 85 and 61(2) of BNS, (Sections 117(2) and 238 of BNS added later on), registered at Police Station Sadar Batala, Police District Batala, District Gurdaspur.

2. Learned counsel for the petitioner *inter alia* submits that the

petitioner has been falsely implicated in the present case on the statement of



the complainant-respondent No. 2. It is submitted that the genesis of the instant FIR stems from the matrimonial discord between the couple, who had solemnized marriage in December 2022. Moreover, there is a delay of 03 days in the registration of the same, which even otherwise does not specify any particulars regarding the alleged offences. It has further been contended that despite the petitioner having joined the investigation, the anticipatory bail petition filed before the learned Sessions Judge, was dismissed qua the petitioner. Moreover, the injury attributed to the petitioner is only qua complaint of pain in the left hand, which falls within the ambit of Section 325 IPC.

3. Status report by way of affidavit of Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala has been filed by the State, which is taken on record.

4. *Per contra*, the learned State counsel as well as the learned counsel for respondent No. 2 oppose the present petition. It is submitted that specific allegations have been levelled against the petitioner and other co-accused with regard to demand of dowry and physical assault of respondent No. 2. It is submitted that the victim was medically examined, and as per the MLR dated 19.3.2026, she has suffered as many as 7 injuries at the hands of the accused persons, out of which injury No. VI, attributed to the petitioner, was declared grievous in nature. Thus it is submitted that the allegations levelled in the FIR, with regard to cruelty and harassment, duly stand corroborated by the above medical evidence. It is averred that the custody of the petitioner is required for further investigating the matter as well as to determine the exact sequence of events.

5. Heard the rival submissions made by learned counsel for the

parties.



6. *Prima facie*, there are serious allegations against the petitioner of subjecting the victim to continuous mental and physical harassment on account of demand of dowry. The petitioner is alleged to have caused injuries upon the complainant-respondent No. 2 by using a baseball bat. As per the MLR dated 19.3.2026, following injuries were found present on the person of the complainant-respondent No. 2:-

- (i) *Complain of pain in the head.*
- (ii) *Reddish contusion of 9 cm x 3 cm on left side of neck.*
- (iii) *Reddish contusion 8 cm x 2 cm on right side of neck.*
- (iv) *Reddish contusion of 12 cm x 3 cm on the right scapula region.*
- (v) *Reddish contusion 11 cm x 2 cm on the left scapula region.*
- (vi) *Complain of pain in left hand.*
- (vii) *Reddish abrasion of 7 cm x 2 cm on the right forearm.*

7. Injuries No. IV to VII have been attributed to the petitioner, out of which one has been declared to be grievous in nature. Thus, the allegations of physical cruelty are *prima facie* corroborated by the medical evidence. Needless to say that the severity of physical harm in matrimonial disputes need not breach the threshold of severity for it to warrant legal action. Every act of violence possess the capacity to erode the sanctity of marital trust and compromise the fundamental dignity of the individual, and constitutes a violation of their personal integrity and autonomy. It is imperative, therefore, that a zero-tolerance approach is adopted in such cases, lest such acts end up becoming potential precursors to more severe violence.

8. At this stage, a gainful reference can also be made to the observation passed by passed in *X vs Arun Kumar CK, Criminal Appeal No.1834/2022*, wherein it was held that though necessity of custodial



interrogation is one of the consideration, however, the same cannot be made the sole basis to determine whether the grant of anticipatory bail is warranted or not. Relevant portion thereof reads thus:-

“x x x x

In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

9. The position of law is settled that the concession of anticipatory bail, which is an extraordinary relief, cannot be granted on the mere asking of the petitioner. There must be an existence of exceptional circumstances in their favour so as to warrant the Court to extend this concession. Regrettably, there is nothing in the pleadings made on behalf of the petitioner, so as to make out the existence of any such exception, so as to make him entitled for grant of concession of anticipatory bail.

10. Therefore, having regard to the *prima facie* gravity of the alleged offences and the material on record, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

11. Accordingly, the instant petition stands dismissed.



12. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.
13. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

May 19th, 2026
Gurpreet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No