



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

**CRM-M No.27072 of 2026
Date of Decision: 20.05.2026**

Chhinderpal Singh @ Sherry

..... Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Ekom Pal Sagoo, A.A.G., Punjab.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.258, dated 12.07.2025, under Sections 110, 118(2), 115(2), 191(3), 190 of BNS, registered at Police Station City Ferozepur, Police District Ferozepur.

2. Succinctly the facts of the case are that FIR in the present case was registered on the statement of complainant, namely, Pawandeep Singh. It was alleged that on 25.06.2025, the complainant alongwith Arshdeep Singh were going to their village on a motor cycle and when they reached Gurudwara Janj Ghar, Kamboj Nagar, then Chhinder Singh @ Sherry (petitioner herein) armed with *Chain Grari* fitted with a pipe, his brother, namely, Paramjit Singh @ Laddu armed with *kapa*, Pawandeep Singh @ Pawan, Pardeep Singh and Gurnek Singh alias Kaka Mama came from behind on two motor cycles and Gurnek Singh alias Kaka Mama raised lalkara to catch the complainant. It was alleged that the petitioner gave blow of *chain grari* fitted with pipe upon the



complainant with an intention to kill him, which hit on his head and petitioner's accomplices also caused injuries to the complainant, due to which he fell on the ground from his motor cycle. On raising alarm by the complainant, people gathered there and all the assailants fled away from the spot alongwith their respective weapons. It was alleged that the complainant was shifted to Hospital. It was alleged that the reason behind the said occurrence was that earlier a heated argument took place between the complainant and the accused persons, due to which they caused injuries to the complainant. Thus, request was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. Apprehending his arrest, the petitioner approached the Court of learned Sessions Judge, Ferozepur praying for the grant of anticipatory bail. However, after hearing both the sides, finding no merit in the same, the learned Sessions Judge, Ferozepur dismissed the petition filed by the petitioner vide order dated 06.08.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of anticipatory bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that the present FIR has been registered after an unexplained delay of 17 days. He submits that though 13 injuries have been inflicted on the persons of complainant, however, ocular version given by the complainant only explains 02 injuries and one of them has been attributed to the petitioner. He submits that Arshdeep Singh was also



accompanying the complainant, however, no injury is attributed to have been caused to him, which creates doubt regarding his presence. To buttress his arguments, he submits that co-accused, namely, Joginder Singh @ Laddu has already been granted the concession of anticipatory bail by this Court vide order dated 24.02.2026 passed in CRM-M-48175-2025. He submits that nothing is to be recovered from the present petitioner and, thus, custodial interrogation of petitioner is not required. He thus, submits that in the facts and circumstances, there being no *prima facie* case made out against the petitioner, he deserves to be granted anticipatory bail.

4. Status report by way of affidavit of Mr. Sukhwinder Singh, PPS, Deputy Superintendent of Police (City), District Ferozepur, has been filed on behalf of respondent-State in the Court today, same is taken on record.

5. Learned State counsel has opposed the submission made by counsel for the petitioner and submits that the petitioner was armed with *chain grari* fitted with pipe and inflicted a blow upon the complainant, that hit on his head, which is a vital part of the body. He submits that as per the MLR, the injury attributed to the petitioner was declared to be grievous in nature and endangering to life. He submits that though co-accused Joginder Singh @ Laddu, has already been granted the concession of anticipatory bail by this Court, however, role of the present petitioner, which is serious in nature, is not same with that of co-accused. He submits that recovery of the weapon used in commission of offence is



yet to be effected and thus, custodial interrogation of the petitioner is very much required. He submits that the investigation is at threshold and no case for the grant of anticipatory bail to the petitioner is made out and thus, the present petition being devoid of merit deserves to be dismissed.

6. On hearing of the counsel for the parties and perusing the record, it is deciphered that name of the petitioner has been specifically mentioned in the FIR, who along with co-accused, has been alleged to have caused injuries upon the complainant. In the said occurrence, the complainant received 13 injuries, which were attributed to all the accused persons, however, the main injury on the head of the complainant has been attributed to the present petitioner. The petitioner is stated to be armed with *chain grari* fitted on the pipe and there is direct attribution of use of the said weapon by the petitioner, which, as per the MLR, has been declared as grievous in nature and endangering to life. Moreover, the case of co-accused, namely, Joginder Singh @ Laddu who has been granted the concession of anticipatory bail by this Court, is on different footings than that of the present petitioner. Since the recovery of the weapon used in commission of offence is yet to effected, the custodial interrogation of the petitioner is very much required. The allegations against the petitioner are serious in nature. The investigation is at threshold.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) BNSS which reads as under:-



“Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
 - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*

8. As per the law settled by the Hon'ble Supreme Court, in ***Gurbaksh Singh Sibbia Vs. State of Punjab***, AIR 1980 SC 1632, while granting anticipatory bail, the Court is to maintain a balance between the individual liberty and the interest of society. However, the interest of the society would always prevail upon the right of personal liberty. The relevant part of the judgment is as follows:-

- “31. *In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the*



event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in State v. Captain Jagjit Singh (1962) 3 SCR 622, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to



impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.”

9. The Hon'ble Supreme Court in ***State Vs. Anil Sharma***, (1997) 7SCC 187, held as under:-

“6. *We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable 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.”*

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been prima facie found. Allegations made against the petitioner are serious in nature. Needless to say, the investigation is at the initial stage and in the facts and circumstances, custodial interrogation of the petitioner would be



essential and granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the overall facts and circumstances of the case, the petitioner does not qualify for the grant of anticipatory bail and the same is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

20.05.2026

ps-I

(RAJESH BHARDWAJ)
JUDGE

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