

2026:PHHC:087364



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

**CRM-M-33814-2026
DECIDED ON: 12.06.2026**

AMARJEET SINGH @ AMBA AND ANR

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vineet Sachdeva, Advocate
for the petitioner

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 Bharatiya Nagarik Suraksha Sanhita (Erstwhile 438 of the Criminal Procedure Code for grant of Anticipatory Bail to the Petitioners in FIR no 41 dated 29.03.2026 (Annexure P-1) U/S 333, 191(3), 190, 324(4) B.N.S. (Erstwhile sections 452, 148, 149, 427 IPC) registered at police station Khui Khera, Tehsil and District Fazilka.

2 Contention

On behalf of the petitioners

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and no specific role has been attributed to them. He argued that it is a case of version and cross version and the

complainant side also caused six injuries to accused regarding which Rapat No.27 dated 27.03.2026 was also entered. He undertakes on behalf of the petitioners that they are ready to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Satjot Singh Chahal, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition on the ground that the petitioners are habitual offender, as they are involved in other cases as well.

3. **Analysis**

In the present case, petitioner No. 1 was already admitted to AIIMS Bathinda, having suffered fractures on the said date; therefore, he was not present at the place of occurrence. Consequently, the implication of petitioner No. 1 appears to be prima facie doubtful. As regards the role attributed to petitioner No. 2, it is alleged that he was armed with a stick and had scuffled with the daughter of the complainant; however, the said allegation is not supported by any cogent material, including the absence of medical evidence regarding any injury sustained by the daughter of the complainant in the alleged scuffle. The prosecution story, therefore, appears to be highly doubtful.

As far as the contention of learned State counsel with regard to the pendency of other cases and involvement of the petitioner in other cases is concerned, reliance can be placed upon the order of this Court rendered in CRM-M-25914-2022 titled as ***“Baljinder Singh alias Rock vs. State of Punjab”*** decided on 02.03.2023, wherein, while referring Article 21 of the Constitution of India, this Court has held that no doubt, at the time of granting bail, the criminal antecedents of the petitioner are to be looked into but at the same time it is equally

true that the appreciation of evidence during the course of trial has to be looked into with reference to the evidence in that case alone and not with respect to the evidence in the other pending cases. In such eventuality, strict adherence to the rule of denial of bail on account of pendency of other cases/convictions in all probability would land the petitioner in a situation of denial the concession of bail.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘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.'

However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

12.06.2026
Meenu

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