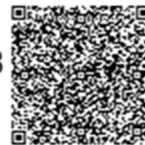


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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****102****CRM-M-33805-2026 (O&M)****Date of decision : 01.07.2026****Baljinder Singh****... Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA****Present:** Mr. Amit Arora, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Senior DAG, Punjab.

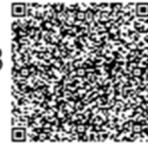
Dr. Hanspuneet Singh Kehal, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 482 of BNSS, 2023 seeking grant of anticipatory bail in case arising out of FIR No.114 dated 01.03.2026 registered under Sections 333, 115(2), 351(2), 191(3) and 190 of BNS, 2023 (Section 117(2) of BNS added later on) at Police Station Goindwal Sahib, Tehsil Goindwal Sahib, District Tarn Taran.

2. The aforementioned FIR was registered on the basis of statement got recorded by the complainant Parwinder Kaur alleging that on the night of 01.12.2025, she was present in her house. Ramandeep mason who was engaged for doing construction work was also present, when the petitioner Baljinder Singh, Balwinder Singh, who were her brothers along with co-accused Nachhatar Kaur and Balwinder Kaur, who are her sisters-in-law accompanied by Juvraj Singh

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entered inside her house by climbing over the wall of the house. They immediately started assaulting Ramandeep and herself. They were armed with weapons. Balwinder Kaur caught hold of her arms whereas co-accused Nachhatar Kaur threw her on the ground. She was kicked on her face and abdomen and Ramandeep was brutally assaulted. On clamour being raised, the assailants fled away. The cause of grudge was that her father had constructed a separate house for her and her brothers were demanding a share in the same and after the death of her father, they were forcibly trying to take possession of the same. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of Learned Additional Sessions Judge, Tarn Taran vide order dated 03.04.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific role or overt act has been attributed to him. It is not the prosecution version that he was armed with any weapon. There is delay of 03 months in lodging of the FIR, which has not been satisfactorily explained. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that he deserves to be released on bail and the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, assisted by learned counsel for the complainant, who has advance notice of the petition, has vehemently argued that the allegations against the petitioner are serious in nature as by forming membership of an unlawful assembly with the co-accused, he had voluntarily

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caused simple as well as grievous injuries on the person of the victim-complainant on the night of fateful day. She had sustained grievous injuries. Office under Section 117(2) of BNS has been added in this case. The powers for grant of anticipatory bail are to be exercised by the Court in exceptional and sparingly circumstances whereas keeping in view the nature of the injuries as sustained by the victim, these powers do not deserve to be exercised. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common objection thereof is alleged to have caused simple as well as grievous injuries on the person of the victim. The injuries Nos.1, 2 and 3 which were fractures in the mandibular region have been opined to be grievous in nature. In the instant case, the victim had sustained 03 grievous injuries on her person which appear to be quite serious in nature. For the purpose of conducting thorough and proper investigation in the matter, custodial interrogation of the petitioner is required. Moreso, it is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The case is at its nascent stage. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the

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trial Court. For conducting effective investigation so as to avoid any loopholes in the same, the custodial interrogation of the petitioner is must. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

01.07.2026
Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No