



105

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

CRM-M-34841-2026

Date of Decision: 30.06.2026

KAKA@ GAJINDER

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present : Mr. Sahil Kumar, Advocate
for the petitioner.

Mr. I.S. Kingra, Sr. DAG, Punjab.

VIRINDER AGGARWAL, J. (Oral)

1. This petition for anticipatory bail is the first petition, filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.102 dated 15.04.2026, for the commission of offences punishable under Sections 126(2), 115(2), 304(2), 191(3) and 190 of Bhartiya Nayaya Sanhita, 2023 at Police Station Canal Colony Bathinda, District Bathinda. Prayer has been made by the accused/applicant that he is innocent and has been falsely implicated in the present case.

2. The allegations against the accused/applicant are that complainant-Arjun Nanda along with his brother-Arun were going on Aactiva Vehicle on 15.04.2026. [Accused/applicant-Kaka@Gajinder](#) armed with Kappa, Avtar Singh armed with Kappa, Happy armed with hand pump rod, Gurmeet Singh armed with hand pump rod, Jokar armed with



hand pump baseball and 2-3 unknown persons armed with baseball and wooden bats suddenly came there and accused/applicant raised lalkara that today they taught lesson to complainant-Arjun and his brother Arun for fighting with them. Accused/applicant and Gurmeet Singh repeatedly hit in the head and on right ear of Arun with their respective weapons. He fell down from Aactiva. Avtar Singh gave blow of sword on upper side of forehead of complainant. Happy gave blow on the head and on left ear of the complainant. Complainant fell down from Aactiva. Jokar gave blow on his right shoulder and they beat both of them with fist and kicks. Complainant and his brother shouted '*marta marta*'. At this all the accused persons ran away with their respective weapons and while going snatched the mobile phone of the complainant made *Vivo*.

3. As per the FIR, there are four injuries on the person of Arun and five injuries on the person of Arjun. All the injuries are with blunt weapons and has been kept under observation with regard to nature of injury. It is informed by the learned State Counsel that injuries No.3, 4 and 5 on the person of Arjun has been declared grievous and the remaining were simple in nature whereas injuries on the person of Arun were simple in nature. It is relevant to point out that Arun is not having both of his legs and he has been attacked in the head by accused/applicant and co-accused.

4. Notice of motion.

5. Mr. I.S. Kingra, learned DAG, Haryana accepts notice on behalf of the State.

6. Learned State Counsel opposed the bail application on the



grounds that weapon of offence as well as snatched mobile phone is to be recovered from applicant/accused. For that purpose, custodial interrogation is required.

7. Considering the nature of offence committed and the injuries caused on the person of Arun and complainant-Arjun and the fact that custodial interrogation of accused/applicant is required in order to effect recovery of mobile phone and weapons of offence, no ground is made out to grant anticipatory bail.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending applications, if any, are rendered infructuous.

(VIRINDER AGGARWAL)
JUDGE

30.06.2026
S. Pathania

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No