



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

(203)

CRM-M-34500-2026 (O&M)
Date of Decision: **03.07.2026**

SUKHDEV SINGH ALIAS SUKHA PREMI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Rahul Grag, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

Mr. Bhanu Chaudhary, Advocate
for the complainant.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is the first petition instituted under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to erstwhile Section 438 of the Code of Criminal Procedure, 1973) seeking the extraordinary relief of anticipatory bail in connection with FIR No. 120 dated 25.05.2026, registered under Sections 118(1), 115(2), 45, 332(c), 304(2), 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to erstwhile Sections 324, 323, 107, 451, 148 and 149 of the Indian Penal Code, 1860, with Section 304(2) of the BNS having been added subsequently), at Police Station Sardulgarh, District Mansa (Annexure P-1).



2. As per the prosecution case, the present FIR came to be registered on the statement of the complainant, Vicky Kumar, who stated that he is a commission agent (Aarhtiya) operating in the Sardulgarh Mandi. It is alleged that on 23.05.2026 at about 6:00 PM, while collecting commission amounts from fruit and vegetable vendors, he approached the stall of co-accused Harpreet Singh to demand the outstanding amount. This allegedly led to a verbal altercation, which was initially pacified by certain persons present at the spot. Thereafter, Harpreet Singh purportedly called the complainant back on the pretext of making payment. Upon reaching the stall, the complainant allegedly found Harpreet Singh armed with an iron *shikanja*, the present applicant-accused Sukhdev Singh armed with a baseball bat, Honey Singh armed with a *Ghapa*, along with 5–6 unidentified persons carrying sticks and iron rods. It is alleged that, upon a lalkara raised by Harpreet Singh, all the accused jointly assaulted the complainant. Specific allegations have been levelled against the present applicant that he inflicted repeated blows with a baseball bat on the complainant's right shoulder, right hand and back. It is further alleged that Honey Singh inflicted a blow with a *Ghapa* on the complainant's right knee, snatched his gold chain, while the present applicant allegedly snatched a bag containing ₹72,000/-. On the basis of the aforesaid allegations, the present FIR came to be registered and investigation was set into motion.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is



contended that the genesis of the dispute lies in an alleged monetary transaction between the complainant and the petitioner's son, Harpreet Singh, and that the present criminal proceedings are nothing but an attempt to convert a financial dispute into a criminal prosecution. The petitioner, being merely the father of the co-accused, has been unnecessarily implicated with a view to exert undue pressure upon the family. It is further submitted that the petitioner is a poor labourer having no concern whatsoever with the alleged business dealings between the complainant and his son. Learned counsel argues that the allegations attributed to the petitioner are vague, omnibus and devoid of any credible material warranting his custodial interrogation. It is further contended that the FIR itself came to be registered after an unexplained delay of two days, which prima facie casts a serious doubt upon the authenticity of the prosecution version and suggests deliberation and embellishment. Learned counsel further submits that no recovery remains to be effected from the petitioner, his custodial interrogation is wholly unwarranted, and he is ready and willing to join the investigation as and when required by the Investigating Agency. It is also submitted that the petitioner is a permanent resident, possesses deep roots in society, has no criminal antecedents, and undertakes to abide by all such conditions as may be imposed by this Court. Accordingly, a prayer has been made for grant of the concession of anticipatory bail.

4. Pursuant to the order dated 23.06.2026, learned State counsel has filed a status report by way of an affidavit sworn by Harpreet Singh,



PPS, Deputy Superintendent of Police, CAW & C, Mansa, holding the additional charge of DSP, Sub-Division Sardulgarh, District Mansa, on behalf of the respondent-State. The same is taken on record.

4.1. Mr. Bhanu Chaudhary, learned counsel, has put in appearance on behalf of the complainant and filed his power of attorney, which is taken on record.

4.2. Learned State counsel, duly assisted by learned counsel appearing for the complainant, has vehemently opposed the present petition. It is contended that the allegations levelled against the petitioner are grave, specific and supported by the material collected during investigation, clearly disclosing his active participation in the occurrence. It is submitted that the investigation is at a crucial stage and the custodial interrogation of the petitioner is indispensable for a fair, effective and comprehensive investigation, particularly for ascertaining the complete sequence of events, recovering the allegedly snatched articles, and identifying the role of all persons involved in the commission of the offence. It is further contended that the FIR, read in conjunction with the material collected during investigation, *prima facie* discloses the commission of cognizable offences, and the petitioner cannot claim the extraordinary relief of anticipatory bail merely by disputing the prosecution version or raising disputed questions of fact. Learned State counsel further submits that, having regard to the gravity and seriousness of the allegations, the specific role attributed to the petitioner, and the stage of investigation, no ground is made out for extending the



discretionary protection of pre-arrest bail. It is also argued that, if protected from arrest, there exists a reasonable likelihood of the petitioner influencing prosecution witnesses or otherwise impeding the ongoing investigation. Accordingly, it is prayed that the present petition, being devoid of merit, deserves to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have perused the paper book as well as the status report with their able assistance.

6. Upon giving thoughtful consideration to the rival submissions advanced by learned counsel for the parties and on a *prima facie* appraisal of the material placed on record, this Court finds no justifiable ground to invoke its extraordinary discretionary jurisdiction for grant of the concession of anticipatory bail. The status report filed on behalf of the respondent-State reveals that, although a cross-version has been registered on the statement of Harpreet Singh, son of the present petitioner, vide DDR No. 48 dated 25.05.2026 under Section 155(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, the mere existence of a cross-case does not, by itself, entitle the petitioner to the extraordinary relief of pre-arrest bail. It is a settled principle that the main case and the cross-version are required to be examined independently on the basis of the evidence and material collected during investigation.

6.1. A perusal of the status report further reveals that the complainant, Vicky Kumar, sustained seven injuries, out of which five have been opined to have been caused by a blunt weapon. The prosecution



has specifically attributed to the present petitioner the role of being armed with a baseball bat and inflicting repeated blows on the complainant's right shoulder, right hand and neck. At this stage, the ocular version, insofar as it relates to the petitioner, *prima facie* stands corroborated by the medical evidence collected during the course of investigation, thereby lending credence to the prosecution case.

6.2. Apart from the allegations of assault, the prosecution has also alleged that the petitioner was involved in the snatching of a bag containing cash amounting to ₹72,000/-, the recovery whereof is yet to be effected. The investigation is admittedly still in progress. In such circumstances, the custodial interrogation of the petitioner cannot be said to be unnecessary, particularly when the investigating agency is required to recover the allegedly snatched property, unravel the complete sequence of events, and effectively investigate the role of each accused involved in the occurrence.

6.3. In view of the nature and gravity of the allegations, the specific role attributed to the petitioner, the *prima facie* corroboration furnished by the medical evidence, the pendency of investigation, and the necessity of custodial interrogation for effecting recovery of the allegedly snatched articles, this Court is of the considered opinion that the petitioner has failed to make out a case for grant of the extraordinary discretionary relief of anticipatory bail. Consequently, without expressing any opinion on the merits of the case, the present petition, being devoid of merit, is hereby **dismissed**.



7. Consequent upon the final adjudication of the present petition, all pending miscellaneous applications, if any, arising out of or connected with these proceedings, shall also stand disposed of. No further or separate orders are required to be passed in respect thereof.

03.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No