



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

105

CRM-M-65965-2025 (O&M)

Date of decision: 17.03.2026

ZORA SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Divya Sharma, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. GS Ghuman, Advocate for the complainant.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 BNSS, 2023, for grant of anticipatory bail to the petitioner in case FIR No.116, dated 26.09.2025, under Sections 110, 115(2), 351(1), 351(3), 3(5) BNS and later on added Sections 109, 117(2) BNS, registered at Police Station Hathur, District Ludhiana.

2. On 02.12.2025, the Co-ordinate Bench had passed the following order:-

“XX XX

Main case

1. For the commission of offence punishable under Sections 109, 110, 115(2), 117(2), 351(1), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, hereinafter being referred to as ‘BNS’ only, the FIR No.116 dated 26.09.2025 has been lodged in Police Station Hathur, District Ludhiana. In the above-mentioned case, the petitioner is apprehending arrest, and therefore, for the benefit of anticipatory bail he has approached this Court, by virtue of present petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being at the instance of Lovepreet Singh, hereinafter being referred to as ‘complainant’ only, who stated that there was a Jaago ceremony pursuant to marriage of ‘Gurpreet Singh’ son of Zora Singh and that he was also invited in the above-mentioned ceremony. According to complainant, his cousin (aunt’s son) Hardeep Singh son of Mahinder Singh was engaged by Zora Singh (petitioner herein) for preparing food and serve drinks to the guest. As per complainant, the order given to Hardeep Singh was for a gathering of 150/200 persons, but the gathering exceeded much above the above-said number, resulting into shortage of food/eatable items.

3. The complainant further stated that at about 10/10:30 PM due to shortage of food & drinks, the father of groom i.e. Zora Singh (petitioner herein) went to Hardeep Singh, hurled abuses to him for shortage of food & drinks, and when younger brother of Hardeep Singh, namely Inderpal, tried to stop Zora Singh, Harpreet Singh (son of Zora Singh), Gurpreet

Singh and servant Dinesh Paswan launched an attack upon the complainant. It was further stated by the complainant that thereafter Harpreet Singh picked a piece of brick, which hit on his eye brow and later on, on the instructions of Zora Singh and his accomplices, Dinesh Paswan picked a brick and with an intention to kill Hardeep and hit him on the back side of his head with the help of brick, due to which Hardeep fell unconscious and was later on admitted to hospital.

4. It is the case of the prosecution that in view of abovementioned statement, formal FIR for the commission of above-mentioned offence was lodged and the investigation taken up.

5. Notice of motion.

6. Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab, accepts notice on behalf of respondent-State, and waives service.

7. Mr. G.S. Ghuman, Advocate puts in appearance on behalf of complainant and waives service.

8. Heard.

9. It has been contended on behalf of petitioner that the petitioner is innocent, having no nexus, whatsoever, with the commission of crime and that he has been falsely implicated in the present case. According to learned counsel for the petitioner the only role attributed to the petitioner is that he had hurled abuses to the caterer Hardeep and that there is no allegation against the petitioner that he had used any weapon or inflicted any injury on the person of complainant or the injured. As per learned counsel for the petitioner, the petitioner has clean antecedents and he has been falsely implicated in the present case.

10. Per contra, the learned State counsel, being assisted by learned counsel for the complainant, has contended that there are very specific and categorical allegations against the petitioner with regard to abatement for the commission of offence. As per learned counsel for the complainant the presence of petitioner on the spot at the time of occurrence is an admitted fact and that the incident had taken place inside the house of petitioner and therefore, he cannot shy away from the responsibility of committing the above-mentioned offence. While referring to the photographs of the head of injured Gurpreet Singh, it has been contended by learned counsel for the complainant that fatal injury on a vital part of the body of Gurpreet Singh has been caused and therefore, the gravity of offence warrants the denial of anticipatory bail to the petitioner. In this regard the learned State counsel has contended that for proper investigation of the present case, custodial interrogation of the petitioner is required.

11. The record has been perused carefully.

12. A perusal of the record shows that there are several factors which are required to be taken into consideration in the present petition at this stage. Those factors are:-

- i) that the allegations in the present case are of using brick for the purpose of inflicting injuries and the invoking of Section 110. However use of weapon like brick leads to the conclusion that there was no intention to kill the injured;
- ii) that there is no allegation against the petitioner that he had used any weapon or inflicted any injury on the person of injured Harpreet;
- iii) that nothing is to be recovered from the possession of the petitioner;
- vi) that custodial interrogation of the petitioner is not likely to produce a fruitful result;
- v) that detention of petitioner in judicial lock-up is not likely to serve any purpose;

vi) that there is nothing on record to show that while on interim anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and

vii) that there is nothing on record to show that while on interim anticipatory bail, the petitioner will not participate/cooperate in the investigation.

13. Taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby held that the petitioner is entitled for interim anticipatory bail.

14. Thus, it is hereby ordered that in the event of his arrest, the petitioner shall be released on interim anticipatory bail on furnishing bonds to the satisfaction of the Arresting Officer. The petitioner shall join the investigation as and when called by the Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of the BNSS, 2023.

15. List on 09.02.2026.

16. Let status report and detailed reply, if any, be filed by the State by next date.”

3. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Learned State counsel on instructions from Inspector Kuldeep Kumar affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 02.12.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

17.03.2026

ashok

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