



sound of the crackers was quite loud, complainant and other persons from the neighbourhood requested the accused persons to burst the crackers elsewhere, keeping in view the recent demise of a young person in the area.

It is further alleged that in the evening, at about 8:00 p.m., all the aforementioned accused persons, along with some others namely Patlu, Mani, Kamal, Baldev Singh and certain unknown persons, came on foot, allegedly armed with spears, bricks and an iron cannon. One of the accused, namely Lovepreet Singh, is alleged to have attacked complainant's father, namely, Maghar Singh, with an iron cannon on the backside of his head, as a result of which he later succumbed to injuries.

FIR further alleges that the other accused persons, including the present petitioner, started throwing bricks towards the complainant party.

3. Learned counsel for the petitioner submits that the fatal injury resulting in the death of Maghar Singh is attributed solely to co-accused Lovepreet Singh and no specific or overt role causing death has been assigned to the petitioner. On this premise, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Anvtej Singh Barnala, Advocate, puts in appearance on behalf of the complainant, and files his power of attorney in Court today, which is taken on record.

6. This Court has carefully perused the contents of the FIR and has heard the arguments advanced by learned counsel for the petitioner.

7. Undoubtedly, no specific overt act causing injury is attributed to the petitioner, except the allegation that he was armed with bricks and had thrown the same along with his co-accused, who were accompanying him during the second phase of the incident at about 8:00 p.m. Even if it is assumed that no injury was caused to any person at the hands of the petitioner, the surrounding circumstances of the place and

manner of occurrence cannot be ignored. On an overall appreciation of the facts, conduct of all the accused persons appears to be highly condemnable and, in the opinion of this Court, same does not warrant grant of any discretionary relief.

It is evident that petitioner was present on both the occasions, i.e. first, when the accused persons came in front of the complainant's house and bursted crackers despite the atmosphere of mourning, and again in the evening when, instead of heeding the request made by the complainant's father, they returned to the spot and launched an attack, resulting in the death of an innocent person. Rather than dissociating himself from the main accused, namely Lovepreet Singh, petitioner chose to accompany him in the evening also, to retaliate against a reasonable and civilised request. At the very least, petitioner could have refrained from joining the unlawful assembly or could have attempted to pacify the situation and dissuade his companions from resorting to violence.

8. In view of the above, this Court does not find any substantial reason or ground to exercise its discretionary power to extend any concession to the petitioner, particularly in the form of anticipatory bail. Conduct attributed to the petitioner does not merit such relief. **Consequently, present petition is dismissed.**

9. **However, let the matter be listed again on 13.02.2026,** limited to the extent for seeking an explanation from the State as to why, despite the incident having occurred on 21.10.2025, the accused persons have not been arrested by the concerned Investigating Officer, till date.

14.01.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>