

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:006661



213

CRM-M-71040-2025 (O&M)
Date of decision:19.01.2026

Harmandeep Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. N.S. Sidhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ajay Singh Pundir, Advocate for respondent No.2.

...

Manisha Batra, J. (Oral).

Instant petition has been filed under Section 482 of the BNSS seeking benefit of anticipatory bail to the petitioner in case arising out of FIR No.113, dated 02.08.2025, registered under Sections 109, 126(2), 115(2), 61(2), 191(3), 190, 351(3) of the BNS (offence under Section 117(2) of the BNS was added lateron), at Police Station City-1, Mansa, District Mansa.

2. As per the allegations, the complainant – Nilesh Kumar Gade was working as a Plant Head at Power Mak Project Limited Company, Talwandi Sabo. The company used to get the medical examination of its employees conducted on regular basis. Accused Simranjit Singh Sidhu and Kuldeep Singh Sidhu were running a lab for the purpose of getting those

medical test conducted. Since the medical reports of that lab were not found satisfactory, the complainant's company was contemplating to set up a medical lab at its own. The above named accused had come to know about this fact and were offended with the complainant and threats were even extended to him. As per the further allegations, in the morning of 01.08.2025, the above named accused at the behest of Baljinder Singh accompanied by 05 more persons had intercepted the complainant and had assaulted him, thereby causing serious injuries to him while proclaiming that he would be taught a lesson. After registration of the FIR, investigation proceedings were initiated and are underway. The complainant recorded his supplementary statement, on the basis of which, the present petitioner was nominated as an additional accused. Apprehending his arrest, he moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Sessions Judge, Mansa vide order dated 21.11.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was not named in the FIR and his name has been taken by the complainant 08 days after the alleged incident. No specific role has been attributed to him. Neither any weapon is to be recovered from him. He is ready to join the investigation. His custodial interrogation is not required. Moreso, a compromise has been effected between the co-accused and the complainant, which is applicable to the petitioner as well. Co-accused, Simranjit Singh Sidhu and Kuldeep Singh Sidhu have been extended the benefit of anticipatory bail. On parity, he too deserves to be given the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent/State in Court today. Power of Attorney on behalf of the complainant has also been filed. Learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of pre-arrest bail. However, learned State counsel has not raised any serious objection to the contentions raised by the petitioner's counsel.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner by forming membership of an unlawful assembly, is alleged to have voluntarily caused simple as well as grievous injuries on the person of the complainant. He was not named in the FIR. A compromise, on which he is relying upon, is stated to have been arrived at between the co-accused and the complainant. As such, no relevance can be drawn on the same. However, keeping in view the role attributed to the petitioner and the above discussed facts and circumstances, in the opinion of this Court, no case for pre-trial incarceration of the petitioner is made out. It is also well settled that pre-trial incarceration should not be a replica of post conviction sentencing. As such, a case is made out for allowing the present petition. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to the condition that the petitioner shall surrender before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on

furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

7. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

8. Pending application(s), if any, shall also stands disposed of.

(MANISHA BATRA)
JUDGE

19.01.2026

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