



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(152)

CRM-M-74155-2025 (O&M)
Date of Decision: 23.03.2026

SURJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Ashish Pandey, Advocate for
Lakhwinder S. Mann, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Mr. Yogesh Goel, Advocate,
Mr. Vishal Dhiman, Advocate and
Mr. Aniket Goel, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

CRM-12575-2026

Allowed as prayed for subject to all just exceptions. Annexure
C-1 to C-7 are taken on record.

Main case

1. Prayer in the present petition filed under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of
anticipatory bail to the petitioner, in case FIR No.221 dated 09.11.2025,
under Sections 115(2), 118(1), 74, 296, 191(3), 190, 3(5) [Section 117(2) of
BNS added later on], registered at Police Station Sadar Jagraon, District

Ludhiana.



2. Vide order dated 01.01.2026, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“1. For the commission of offence punishable under Sections 115(2), 118(1), 74, 296, 191(3), 190, 3(5) [Section 117(2) added later on] of the Bharatiya Nyaya Sanhita, 2023, hereinafter being referred to as ‘BNS’ only, the FIR No.221 dated 09.11.2025 has been lodged in Police Station Sadar Jagran, 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 Manpreet Kaur, hereinafter being referred to as ‘complainant’ only. It was alleged by the complainant that on 07.11.2025 at about 06:15 PM, she went to collect firewood from the place where she keeps firewood in front of her house. There Dilpreet Singh, Karanpreet Singh, Harvinder Singh, Narang Singh, Surjit Singh and Bablu, who were standing at Mana Wala Chowk village Sohia, started hurling abuses for her and they touched their private parts, made obscene gestures and exhorted. It is further alleged that the petitioner alongwith his co-accused inflicted injuries on the person of complainant with their respective weapons i.e. Kirpan, Kirch, Baseball and sticks. The reason for assault was that Sarpanch Kulwant Singh and his son and nephew kept harassing her. Earlier also, they had thrashed her.

3. Notice of motion.

4. Since advance notice has already been served upon the State, Mr. J.S. Thind, DAG, Punjab, accepts notice on behalf of respondent-State, and waives service.

5. Heard.

6. It has been contended on behalf of petitioner that the allegations against the petitioner are for the commission of offence which are triable by the Court of Judicial Magistrate and that the benefit of bail has already been afforded to a similarly placed co-accused.

7. In addition to above, it has also been contended that the injury caused by sharp edged weapon has not been declared a grievous injury and that grievous injury has been caused by a blunt weapon, which has not been attributed to the petitioner.

8. Per Contra, the learned State counsel has contended that the allegations against the petitioner are specific and that the offence is serious in nature. As per learned State counsel for the purpose of recovery of weapon of offence, the custodial interrogation of the petitioner is required.

9. The record has been perused carefully.

10. 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 offence is triable by the Court of Judicial Magistrate;*
- ii. that trial of the case is not likely to be concluded in near future;*



- iii. that detention of petitioner in judicial lock-up is not likely to serve any purpose;*
- iv. that custodial interrogation of the petitioner is not likely to produce a fruitful result;*
- v. 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*
- vi. that there is nothing on record to show that while on interim anticipatory bail, the petitioner will not participate/cooperate in the investigation.*

11. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that the petitioner is entitled for interim anticipatory bail.

12. 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 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.

13. Adjourned to 23.03.2026 for filing reply to the petition."

3. Learned State counsel on instructions from ASI Atma Singh, submits that in compliance of order dated 01.01.2026, the 79 yrs. old petitioner has joined the investigation and is not required for any further investigation. He also filed status report by way of affidavit of DSP, Jagraon, District Ludhiana (Rural), on behalf of the State, which is taken on record.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 01.01.2026 passed by this Court, is hereby made absolute, subject to the condition enumerated under Section 482(2) BNSS.

5. This order should not be treated as "blanket" order. It will not be read as granting the petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved with the investigating agency/complainant to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.), in the event of violation of any term,



stipulated under Section 482(2) BNSS, or upon showing any other sufficient cause.

7. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

March 23, 2026
Itihlesh

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