

CRM-M-49150-2024 (O&M)  
CRM-M-52161-2024 (O&M)  
CRM-M-57846-2024 (O&M)

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2025:PHHC:043258



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

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**Date of Decision:- 26.03.2025**

**I. CRM-M-49150-2024 (O&M)**

BALWINDER SINGH ALIAS BINDI

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**II. CRM-M-52161-2024 (O&M)**

DAMANJOT SINGH @ DAMAN

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**III. CRM-M-57846-2024 (O&M)**

SAHIB SINGH @ SABA

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. A.P.S. Gill, Advocate for the petitioners  
in CRM-M-49150-2024 & CRM-M-57846-2024.

Mr. Sunil Kumar Mallan, Advocate  
for the petitioner in CRM-M-52161-2024.

Mr. Ankit Grewal, DAG Punjab.

Mr. Amit Kumar Saini, Advocate for the complainant.

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**SANJIV BERRY, J. (ORAL)**

1. By way of this common order, the above-mentioned three



criminal miscellaneous petitions filed for seeking grant of anticipatory bail to the petitioners shall be decided as they arise out of same FIR.

2. The present petitions have been filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail to the petitioners in the following FIR:-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
120	28.08.2024	140(3), 127(2), 351(3) of Bharatiya Nyaya Sanhita, 2023	Machhiwara, District Khanna

3. It is *inter alia* contended by learned counsels for the petitioners that the petitioners are innocent and have been falsely implicated in the case on account of party faction in the village. They contend that no such occurrence ever took place and the petitioners had no connection with the allegations levelled in the FIR. They further contend that a false story has been concocted just to harass the petitioners without any rhyme or reason. They submit that the petitioners are ready to join investigation, they pray for grant of anticipatory bail to the petitioners.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, relying upon the status reports filed in the respective petitions, has assailed these arguments by submitting that the petitioners had forcibly taken the complainant to the house of petitioner-Sahib Singh, where he was mercilessly beaten by the petitioners with their weapons and later put him in a car, but on the way due to the brother of the complainant came in front of the car, the accused threw the complainant out of the car and fled



away from the spot, otherwise they would have killed him. They content that the custodial interrogation of the petitioners is required and pray for dismissal of the bail petition.

5. As per the case of prosecution on 27.08.2024, at 08:30 PM while the petitioners were taking liquor in their car parked in the street, then on seeing the complainant Bhupinder Singh, petitioner Sahib Singh exhorted to teach him a lesson, upon which all the petitioners took him forcibly inside the house of Sahib Singh, where he was given merciless beatings and dragged him into the car. When the vehicle reached the outer passage of the village, the brother of the complainant Gurpreet Singh and his servant Rohit came in front of the vehicle. Thereafter the petitioners threw the complainant out of the car and fled away. It is alleged that the petitioners were indulging in selling of contraband which the complainant and his brother Gurpreet Singh were resisting. It is also alleged that the petitioner-Sahib Singh gave Iron *chakli* blow on the head of the complainant, while petitioner-Daman gave blow with sharpened edged weapon on the head of the complainant and petitioner-Balwinder Singh @ Bindi gave stick blow to him. Thereafter, the injured was shifted to the hospital and accordingly the FIR was registered.

6. After considering the rival contentions and perusing the record, it is observed that there are specific allegations against the petitioners of having kidnapped and forcibly taken the complainant inside the house of petitioner-Sahib Singh, where all the petitioners gave merciless beatings to him with their weapons. Specific overt act has been attributed to each of the

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petitioners by the complainant. There are specific allegations that the petitioners had forcibly put the complainant inside the car and were taking him to some undisclosed place, when on the outskirts of village the brother of the complainant along with his servant came in front of the car due to which the complainant was thrown out of the car and the petitioners fled away from there.

7. Therefore, considering the nature and gravity of offence and also the fact that the weapons used by the petitioners are yet to be recovered, for which their custodial interrogation is required, it is observed that no case is made out in favour of the petitioners for grant of anticipatory bail, as a consequence, the present petitions are hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**26.03.2025**

*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No