



**107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-39152-2025
Date of decision: 23.07.2025**

BALJINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This is the first petition filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.69 dated 28.03.2025 under Sections 109/115(2)/333/191(3)/190 of BNS, 2023 and Sections 25/27 of Arms Act, 1959 registered at Police Station Gharinda, Amritsar (Annexure P-1).

2. The brief facts of the present case, as alleged are that on 25.03.2025 at about 7:00 AM, when the complainant came back to his house after getting removed the stitches of his chest tumour surgery, car of father of the petitioner was parked in the courtyard of the petitioner. Thereafter, when the complainant asked the father of the petitioner to take the car out of the courtyard of their house, he got angry and started arguing with the complainant. Thereafter, father of the petitioner along with the petitioner, having 32 bore pistol and his grandson having an axe and 2-3 unknown persons empty handed entered courtyard of the complainant and attacked upon



him and the petitioner also fired a shot with pistol, which hit on the left side of his head and on the right side above the chest of his brother standing besides the complainant. Hence, the FIR (*supra*) was registered.

3. Learned counsel for the petitioner *inter alia* contends that there is a delay of three days in registration of FIR (*supra*), which creates a serious doubt on the case set up by the prosecution. He further contends that the petitioner has been falsely implicated on account of old enmity.

4. Notice of motion.

5. Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court and *per contra*, submits that the petitioner is the main accused, who has fired a shot with a 32 bore pistol at the complainant, which hit him on the left side of the head and after passing, it hit on the right side of chest of brother of the complainant. As such, *prima facie* offence under Section 109 of BNS, 2023 is clearly made out, which is punishable for life imprisonment. Further, empty cartridges are also recovered from the place of occurrence, which corroborates the case set up by the complainant.

6. Having heard learned counsel for the parties and after perusal of the record of the case with their able assistance, it transpires that serious and specific allegations are levelled against the petitioner and his custodial interrogation is required to take the investigation to a logical conclusion. As such, the petitioner is not entitled to the relief of anticipatory bail.

7. In view of the above discussion and keeping in view the nature of gravity of offence and the fact that the custodial interrogation of the petitioner is required, no ground is made out to grant anticipatory bail to the petitioner and the present petition stands dismissed.



8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

July 23, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |