

2025:PHHC:047151



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

102

**CRM-M No.18721 of 2025
Date of decision: 05.04.2025**

Ranjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. A.P.S. Sandhu, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

Mr. Atinderpal Singh, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
135	24.12.2024	Raja Sansi, District Amritsar Rural	118(2), 118(1), 115(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS")

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of the statement of complainant Gurmitter Singh alleging that on

2025:PHHC:047151



22.12.2024, he along with his neighbourer Gursahab Singh was going towards his house. While being on way, the present petitioner was found standing outside his house along with the co-accued Bau and Surinder Kaur. Surinder Kaur who is wife of petitioner made an exhortation that the complainant should be caught and taught a lesson for stopping the drain water. Gursahab Singh fled from the spot out of fear. The accused Bau struck blows with a baseball bat thereby causing injury on his person. Thereafter, the petitioner and the co-accused dragged the complainant inside their house and after closing the door of the same, the petitioner struck blows with a datar thereby injuring his left wrist and left leg. They also snatched his mobile phone. The petitioner showed a pistol and threatened to shoot him. In the meanwhile, his mother had reached there and then the complainant was rescued and was taken to hospital. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 11.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of two days in reporting the matter to the police which has been utilized by the complainant to concoct a false story. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected

2025:PHHC:047151



from him. The injury that has been attributed to him could not be caused by him since even as per the version in the FIR, he was not having any weapon with him and was empty handed. Learned counsel for the petitioner has shown an extract from the CCTV footage of the vicinity converted into a pendrive and has submitted that since no specific overt act had been committed by the petitioner, therefore, he is entitled for release on bail.

4. Notice of motion.

5. Ms. Ruchika Sabherwal, Sr. DAG, Punjab has advance notice of the petition and is ready to argue the matter. At this stage, memo of appearance on behalf of complainant has also been filed. Learned counsel for the complainant has placed on record photocopy of his medico legal report as well as certain photographs showing the victim to be in injured condition. Learned Senior Deputy Advocate General, Punjab assisted by learned counsel for the complainant has argued that the petitioner does not deserve to be extended benefit of pre arrest bail.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have assaulted the victim and to have caused simple as well as grievous injuries to him. As per the medico legal report, he has sustained as many as nine injuries. The injury shown at Sr. No.2 in the medico legal report has been attributed to the petitioner and it has been opined to be grievous in nature. The pen drive containing CCTV footage has been watched by

2025:PHHC:047151



this Court in the official computer and the same is not with regard to the incident which allegedly took place inside the house of the petitioner. As such, no reliance can be placed upon the same at this stage. The allegations against the petitioner are specific and serious in nature. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that

2025:PHHC:047151



extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)

JUDGE

05.04.2025

manju

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No