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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.211

Case No. : CRM-M-23426-2025

Decided On : July 02, 2025

Surti Lal Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Rajiv Kumar Saini, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.33 dated 13.04.2025, under Sections 121(1), 221, 132, 126(2), 190 of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Kotli Surat Mallian, District Batala.

The FIR in question was registered on the statement made by SHO/SI Jagjit Singh of Police Station Kotli Surat Mallian, stating therein that he and his police party were assaulted by the petitioner and some other persons, when they went to the house of Dalbir Singh @ Sonu for regular checking as said Dalbir Singh @ Sonu was involved in eight cases under the NDPS Act. All those persons including the petitioner encircled the police party, obstructed them from doing their duty and also tore their uniforms. They also tried to damage the police vehicle. With these allegations, the



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FIR in question was registered against the present petitioner and others.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present FIR. The petitioner never obstructed any of the police officials when they came to the village to arrest Dalbir Singh @ Sonu. The Lady Constable Kajal and SI Jagjit Singh were also not in their uniforms when they came to the village. He further submitted that nothing is to be recovered from the petitioner and no useful purpose would be served by sending him behind the bars and he may be granted concession of anticipatory bail.

Notice of motion was issued in this case on 01.05.2025 and Status Report was called from the State, which has been filed today in Court and is taken on record.

Per contra, learned State counsel opposed the present bail petition and contended that the petitioner along with his co-accused had committed serious offence of assaulting the police officials on duty and the same cannot be taken lightly. The petitioner was also a member of unruly mob which attacked the police party, which came to their village for conducting search in the house of aforesaid Dalbir Singh @ Sonu, who was involved in various cases. He along with other co-accused attacked the police party and obstructed them from discharging their official duty. So, the petitioner does not deserve the benefit of anticipatory bail. However, he has fairly admitted that there is no other criminal case registered against the petitioner except the present one.

Heard.

Perusal of the record reveals that there are general allegations of



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scuffling with the police by the petitioner along with his companions, but no specific role has been attributed to the petitioner. As per the Status Report, filed today in Court, as per record of Police Station Kotli Surat Mallian, no other criminal case had been registered against the petitioner and as such, the petitioner is having clean antecedents. His custodial interrogation is not required and no useful purpose would be served by sending him behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

July 02, 2025

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(SUKHVINDER KAUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>