



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

CRM-M-42198-2025
Decided on: 05.08.2025

Amritpal Singh @ Saabu

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Nand Lal Sammi, Advocate, for the petitioner.
Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.50 dated 03.06.2025, registered under Sections 304, 126(2), 191(3), 190 of BNS, 2023 (Section 317(2) BNS, 2023 added later on), at Police Station Kheri Gandian, District Patiala.

2. Succinctly, facts of the case are that the FIR in the present case has been registered on the statement of complainant Ginni Grover. It was alleged that on 23.05.2025, he was going on his Activa Scooter. When he reached behind the petrol pump, then two motorcycles came from behind. A young person stopped him by bringing his motorcycle in front of his Activa Scooter. He took out an iron *daat* and threatened to be killed. Due to fear, he handed over his mobile phone and cash of Rs.10,000/- to them. He enquired about the assailants and came to know that the assailants were Yuvraj Singh, Amritpal Singh (petitioner), Harsh, Makhan Singh, Jashan and Manga. Request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. Apprehending arrest, the petitioner approached the Court of the learned



Additional Sessions Judge, Patiala for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 23.06.2025. Hence, aggrieved against the said order, the petitioner is before this Court by of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that occurrence in the present case has taken place on 23.05.2025, whereas, the FIR has been lodged after a delay of about 10 days i.e. on 03.06.2025, whereby the petitioner has been roped in a due deliberated manner. It is submitted that no *prima facie* case as alleged against the petitioner is made out. He, thus, submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted anticipatory bail.

4. *Per contra*, learned State counsel has opposed the bail application. It is submitted that during investigation complicity of the petitioner surfaced. He, thus, submits that investigation is at initial stage and the same would be seriously prejudiced, if the petitioner is granted concession of anticipatory bail.

5. After hearing learned counsel for the parties and perusing the available record, it is deciphered that though the occurrence has taken place on 23.05.2025, however, the complainant found the identity of the accused and named them in the FIR. The allegations levelled against the petitioner are serious in nature. The investigation is at the initial stage. As submitted before this Court, co-accused of the petitioner are yet to be arrested.

6. For the consideration of anticipatory bail, the statutory



parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

482“Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
 - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*
7. Hon'ble Supreme Court in **State represented by CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under [Section 438](#) if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such



interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

8. Hon’ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

9. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

10. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in his favour. Resultantly, the petition



CRM-M-42198-2025

-5-

being devoid of any merit is hereby dismissed.

11. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

05.08.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No