



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

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**CRM-M No.10074 of 2025
Date of decision: 05.04.2025**

JAGMEET SINGH**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. R. S. Maur, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (oral)

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case arising out of FIR No.220 dated 25.12.2024 registered under Sections 307 and 3(5) of BNS at Police Station Sadar Bathinda,, District Bathinda.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant-Sukhdev Singh @ Sukha posted as Sales Manager at Suvidha Centre Filling station, Balluana Petrol Pump alleging therein that on the night of 22.12.2024, three youths had reached at the petrol pump in a verna car bearing Registration No. DL 12CE-6057. They got filled diesel worth Rs.1500/- in their vehicle but tried to flee without making payment. The sale attendant Mintu picked a stone and threw it at their car resulting into damage to the rear windshield. The occupants of the vehicle returned to the petrol pump after a while. They were armed with weapons and opened an attack upon the employees of petrol pump. They snatched an amount of Rs.8,000/- from an employee Saurabh Pal. They assaulted sales

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attendant Mintu and also took away sum of Rs.3500/- from his pocket and thereafter they fled. The complainant made enquires at his own level and came to know that the above-mentioned Verna car was driven by the petitioner at the relevant time. He was accordingly nominated as an accused. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Bathinda vide order dated 20.01.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is ready to join the investigation. In fact, altercation had taken place due to throwing out a stone by the staff member of petrol pump since the petitioner failed to pay for the fuel through goggle pay transaction, caused by poor internet connection. Neither he had made any attempt to commit robbery nor he was in possession of any weapon. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. With these broad submissions, it is urged that he deserves to be extended benefit of pre arrest bail.

3. Status report has been filed. It is argued by learned counsel for the petitioner that there are specific allegations against the petitioner. He not only got filled fuel from the petrol pump of the complainant and managed to flee without making any payment but also returned at the petrol pump along with his accomplices and opened an attack upon the employees of the petrol pump. His custodial interrogation is must for conducting thorough investigation in the matter. No extra ordinary and exceptional circumstance for exercising powers

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under Section 482 of BNS is made out. It is, therefore, argued that the petition does not deserve to be allowed.

4. Rival contentions have been heard at length.

5. There are specific and serious allegations against the petitioner. A pen drive containing CCTV camera footages of the petrol pump has been placed on record and a perusal of the same reveals that the petitioner and his accomplices got filled fuel in their car on the fateful night and managed to flee without making any payment. Thereafter, they again reached at the petrol pump and assaulted the employees of the petrol pump and complainant in order to put them under fear. 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 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 custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. 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

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convinced that exceptional circumstances exist to resort to that 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. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

05.04.2025

Jyoti-IV

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No