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

**CRM-M No.55798 of 2024
Date of Decision: 26.03.2025
Reserved on: 24.03.2025**

Lovejeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikram Chaudhary, Senior Advocate (through V.C.)
with Ms. Diya Bhagwan, Advocate and
Ms. Nandini Gupta, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

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

FIR No.	Dated	Police Station	Sections
58	23.04.2024	Ranjit Avenue, District Police Commissionerate Amritsar	307, 160, 336, 148 and 149 of IPC and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a written complaint lodged by ASI Narinder Singh on 23.04.2024 alleging therein that on the same day, he along with some other police officials

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was present at the barricade near starbucks for the purpose of patrolling duty when a secret information regarding an incident of firing upon each other by two groups of persons near Hartej Hospital, had been received. Believing the secret information, the police officials sent ruqa to the police station and rushed towards the informed place. It was informed that two gangs one headed by accused Akashdeep Singh and another headed by Arshdeep Singh had an altercation with each other and had fired gun shots at each other with their respective weapons with an intention to kill and some of them had sustained firearm injuries. Two of the injured namely, Balhar Singh and Arshdeep Singh who were members of the party of the present petitioner had sustained firearm injuries whereas Ajaydeep Singh and Atinderpal belonging to the other party had also sustained such injury. The medical reports were collected. Some members of the party of the petitioner namely Bachitar Singh @ Amarjit Singh, Navdeep Singh, Surjit Singh, Malkiat Singh, Arshdeep Singh @ Arsh Kundal, Balhar Singh and Navchetan Singh Gill were arrested. Recovery of a revolver was effected from accused Balhar Singh and the car used at the time of occurrence was recovered from co-accused Malkiat Singh. Some of the members of the opposite party were also arrested. Investigation is going on. 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 16.09.2024.

3. It is argued by learned counsel for the petitioner that he has

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been falsely implicated in this case. No specific role has been attributed to him. Infact, the dispute had arisen between the members of one party led by accused Arshdeep Singh and the members of other party led by Arshdeep Kondal and Balhar Singh on payment of visa fees and the petitioner was nominated on the basis of disclosure statements suffered by the co-accused. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. No specific overt act has been attributed to him rather he has been made a scapegoat by the police. The co-accused Rajinder Singh @ Rajan, Surjit Singh, Bachittar Singh @ Amarjit Singh, Malkiat Singh, Balhar Singh, Arshdeep Singh Kundal, Atinderpal Singh @ Tikka and Akashdeep Singh have been extended benefit of regular bail. The co-accused Navchetan Deep Singh Gill has been extended benefit of anticipatory bail. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has already been filed by the respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner as he was having pistol at the time of commission of crime and had firstly fired a shot with the same thereby injuring Ajaydeep Singh and Atinderpal Singh, members of the opposite party. The right leg of Ajaydeep Singh was amputated due to the injury sustained by him and this injury had been declared to be dangerous to life. The petitioner has been absconding. His custodial interrogation is must for conducting fair and proper investigation in the matter and to recover the

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weapon of offence from him. Even otherwise, no exceptional or extraordinary circumstance for grant of anticipatory bail has been made out in his favour. Therefore, it is urged that the petition does not deserve to be allowed.

5. Learned counsel for both the parties have been heard at considerable length.

6. The petitioner is alleged to have formed membership of an unlawful assembly along with the co-accused and in prosecution of common object of that unlawful assembly, he along with the co-accused is alleged to have caused firearm injuries to Ajaydeep Singh and Atinderpal Singh. The right leg of Ajaydeep Singh had been amputated due to the impact of the injuries so sustained. The allegations against the petitioner are quite grave and serious in nature. For conducting thorough investigation in the matter, his custodial interrogation is required. The case is at its nascent stage. It is well settled proposition of law that 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. Keeping in view the gravity of the allegations, 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. More so, no extraordinary or exceptional circumstance warranting exercise of the powers for grant of anticipatory bail by this Court has been made out in favour of the petitioner. As such, I am of the considered opinion

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that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

26.03.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No