

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

205

CRM-M-26453-2025

Date of decision: 11th August, 2025

Lovepreet Singh @ Lucky @ Bhola

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Shivam Grover, Advocate for the petitioner.
Ms. Ramta Chowdhary, DAG, Punjab.
None for respondent No.2.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 02 dated 03.01.2025 registered under Sections 115(2), 118(1), 117(2), 118(2), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Bilga, District Jalandhar Rural, Punjab. His previous petition had been dismissed as withdrawn.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Tanpreet Singh on 03.01.2025 alleging therein that on 07.11.2024, he along with his cousin Gursimranjeet Singh and uncle Gurpal Singh was watching *Kabaddi* and cricket matches in village Aujla, when the petitioner accompanied by the co-accused and armed



with weapons reached there. He made an exhortation that the complainant and his family members should not be spared and then all of them opened an assault upon him, his cousin and his uncle and caused injuries to them with their respective weapons. Clamour raised by them attracted other persons and then the assailants fled. The motive as attributed was an altercation that had taken place about one month back. 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 before the learned Additional Sessions Judge, Jalandhar, which was dismissed vide order dated 19.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is inordinate and unexplained delay in lodging of the FIR. Infact, the members of the complainant party were the aggressors and they had initiated the occurrence by hurling abuses to the petitioner. The friend of the petitioner namely Gavin Singh had sustained serious injuries in the incident. The co-accused Gavin Singh, Baljeet and Jasjeet have since been extended benefit of anticipatory bail. A compromise has been effected between the parties and a written compromise has been executed on 26.04.2025 between them. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed.

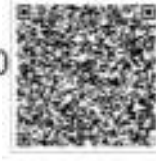
4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on pre-arrest bail.



5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner by forming membership of an unlawful assembly is alleged to have caused simple as well as grievous injuries to the members of the complainant party. One of the member of his group had also sustained injuries in the same incident. The co-accused have been extended benefit of bail. The subject offences are triable by Magistrate. The petitioner is ready to join the investigation. Though much relevance cannot be given to the compromise, which is claimed to have been arrived at between the parties, however, in the circumstances peculiar to this case, this Court is of the opinion that there would be no justifiability for custodial interrogation and pre-trial incarceration of the petitioner is not required. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest they prejudice the trial, this Court holds that the petitioner makes a case for grant of pre-arrest bail. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of pre-arrest bail, subject to his surrendering before the Investigating/Arresting Officer within a period of ten days from today and joining investigation and then subsequently also as and when called upon by him and on his surrender within that period, he shall be released on bail by the Investigating Officer on furnishing bonds to his satisfaction and on the following conditions:-

- (i) He shall not leave the country without permission of the Court during investigation and till conclusion of trial and will



surrender his passport (if any) before trial Court.

(ii) he 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/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

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

[MANISHA BATRA]
JUDGE

11th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*