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

CRM-M-26735-2025

Date of Decision: 22.07.2025

Ajay @ Ajay Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Ms. Mandeep Kaur, Advocate  
for the petitioner.

Mr. Akshay Kumar, A.A.G, Punjab

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**ANOOP CHITKARA, J.**

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
132	14.11.2023	Kathu Nangal, District Amritsar, Rural	379, 323, 341, 34 IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 11 of the bail petition, the petitioner mentions that he is involved in some other criminal cases (details of other cases is not available). However, as per paragraph 7 of short reply dated 14.07.2025, the petitioner is not found involved/nominated as accused in any other case, or declared proclaimed offender in the present case.

3. The facts and allegations are being taken from the short reply filed by the State, which reads as follows:

*“2. That the brief and relevant facts of the case are that aforesaid FIR No.132 dated 14.11.2023 was registered on the basis of the statement of Bhupinder Singh son of Rawel Singh, who had alleged therein that on 07.11.2023 at about 03:00Pm, he acme outside HDFC Bank Chawinda Devi after depositing his money and he saw the co-accused Manjit Singh and the petitioner both armed with their respective dangs and two unidentified youngsters empty handed waylaid him and the co-accused Manjit Singh raised a lalkara and to catch hold of him for not giving LED to them. He further alleged that the co-accused Manjit Singh got*



*hold of him from his collar and the petitioner caught hold of him from his neck and dragged him to the other side of the road. He further alleged that the co-accused Manjit Singh caused injuries on his right arm and left wrist with the blow of his dang and the unidentified co-accused also caused injuries on him. He further alleged that the petitioner caused injuries on his back and left thigh with two consecutive blows of dang. He further alleged that during the scuffle, his gold chain got broken and when he raised hue and cry, the aforesaid accused fled away from the spot and while leaving the spot, the co-accused took away his gold chain. The detailed facts mentioned by the complainant in his aforesaid statement has been reproduced in the true translation of the FIR No. 132 dated 14.11.2023 attached with the petition as Annexure P-1, which may kindly be read as a part of this paragraph as same are not repeated for the sake of brevity.”*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

**“Role of the petitioner**

*4. That as per the version of the injured Bhupinder Singh, the petitioner armed with a dang, along with the other co-accused after sharing a common intention had attacked upon him and caused injury upon his back and left thigh. The injuries caused by the petitioner were declared simple in nature.”*

**REASONING:**

8. Given the nature of injury and offence attributed, the petitioner is entitled to bail. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence



might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

9. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage.

10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

CONDITIONS:

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of



failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

22.07.2025  
*Jyoti-II*

Whether speaking/reasoned: Yes  
Whether reportable: No.