



CRM-M-47249-2025

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

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**CRM-M-47249-2025  
Decided on: 28.08.2025**

Gurpreet Singh @ Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. H.S. Jakhal, Advocate,  
for the petitioner.

Ms. Pooja Nayar Sharma, D.A.G., Punjab.

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**ANOOP CHITKARA, J.**

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
260	19.11.2022	Sadar Fazilka, Distt. Fazilka	452, 324, 323, 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. As per paragraph 15 of the bail petition, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the translated copy of FIR annexed with the bail petition as Annexure P-1, which reads as follows:

*“Statement of Chhinderpal Singh son of Sh. Jangir Singh grandson of Sh. Jabar Singh, resident of village Behak Khas PS Sadar Fazilka, aged about 21 years, M.No.81969-xxxx. Stated that I am resident of above said address and engaged in labor work and we are 4 sisters-brothers. Among them 2 are brothers and sister is married and I am unmarried. On 16.11.2022 at about 7:30 PM, I had gone to the grocery shop of Surjeet Singh son of Lachhman Singh, resident of Behak Khas to get some household articles, where Surjeet Singh son of Mangat Singh, resident of Behak Khas along with 5-6 persons were standing. On seeing me, they started abusing loudly and threatening me that we will ask you on getting some opportunity. On hearing loud noise, the respectable of the village intervened, upon which I returned to my house. At about 9:30 PM, two motorcycles came, on which Surjeet Singh armed with kappa, Sunny son of Om Parkash armed with iron rod, Vicky son of Om Parkash armed with Kapa and Gurpreet Singh son of Bachan Singh armed with base ball bat, residents of 'village Behak Khas came to our house and the very moment, Surjeet Singh raised a lalkara that today do not leave me alive. He gave a kappa blow directly to me which hit on the left side of my head. Then Sunny gave a rod blow to me which hit on my left shoulder, then I fell down on the ground. Vicky son of Om Parkash gave a kappa blow which hit from its reverse side on my right knee. In the meantime, Gurpreet Singh gave a base ball bat blow to me which hit on my back and they also*



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*caused injuries on other parts of my body. When I raised cries, then on seeing people gathering, above said assailants fled away from the spot with their respective weapons on their motorcycles. Then my family members came who took care of me. The bone of contention is that about one year back, we had a quarrel and a Panchayati settlement was done. Earlier during evening, we had a quarrel at the shop and due to this grudge, they have entered my house with common intention and have caused me injuries. I am claimant. Legal action be taken against above said accused and justice may be done to me. Statement has been got recorded to you, has been heard, is correct.”*

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 on instructions.

**REASONING:**

7. Co-accused has already been granted the benefit of anticipatory bail vide order dated 03.10.2023 in CRM-M-15939-2023 by a co-ordinate Bench of this Court. 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.

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

9. The investigation indicates that the petitioner is not the main accused, so the petitioner's bail shall not be treated as a precedent for granting bail to the other co-accused with a higher role.

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing



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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.

11. 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)	

12. This order is subject to the petitioner's complying with the following terms.

13. 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.

14. 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.

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. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as



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an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

17. This bail is conditional, with the foundational condition being 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 shall 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 as per their discretion, they may cancel this bail.

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

19. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Appellant-Accused 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.

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

(ANOOP CHITKARA)  
JUDGE

28.08.2025

Jyoti-II

Whether speaking/reasoned: Yes  
Whether reportable: No.