



CRM-M-47410 of 2025

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

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CRM-M-47410 of 2025
Date of Decision: 14.10.2025

Manpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Navjot Singh, Advocate for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

Mr. Bachanpreet Singh, Advocate for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.65 dated 25.07.2023 registered under Sections 307, 324, 427 and 34 of IPC and Sections 25/27/54/59 of the Arms Act, at Police Station Arniwala, District Fazilka.

2. Brief facts as per the case of the prosecution are that the petitioner along with co-accused, armed with weapons, attacked the complainant and his Taya-Balwinder Singh with an intention to kill them and caused grievous injuries.

3. Learned counsel for the petitioner has argued that the petitioner is innocent and has been falsely implicated in the present case due to political rivalry. He argued that the offence under Section 307 has been added merely



to make the offence serious. He further argued that the alleged weapon of offence i.e. pistol, is licensed firearm belonging to one Gurcharan Singh and has already been recovered by the police. Hence, no recovery remains to be effected from the petitioner. He further argued that no used cartridges were recovered from the spot and even as per the medical legal report of the injured Balwinder Singh, no bullet was recovered from his body. It is therefore, contended that the allegation of firearm injury is doubtful. The petitioner is a young boy with no criminal antecedents. Further, co-accused Gurcharan Singh, who was on similar footing with the petitioner, has already been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 15.10.2024. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Fazilka, vide order dated 24.06.2024.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner along with co-accused attempted to kill the victim Balwinder Singh by firing upon him resulting into firearm injuries. The petitioner and the co-accused also attacked complainant-Lovepreet Singh



with a kirpan. Both the firearm injuries sustained by Balwinder Singh are specifically attributed to the present petitioner. Hence, he prays for dismissal of the petition.

6. At this stage, Mr. Bachanpreet Singh, Advocate has put in appearance on behalf of the complainant and has filed his Memorandum of Appearance, which is taken on record and he, while opposing the petition for anticipatory bail, has contended that the petitioner has played an active role in the crime in question.

7. Heard.

8. In the present case, the allegations against the petitioner are specific and serious in nature. He is alleged to have fired upon one Balwinder Singh, whose sustained two firearm injuries which has been declared dangerous to life. The nature of injuries and the weapon used clearly indicate an intention to cause death. Though, the weapon of offence stands recovered but merely because of recovery of weapon or completion of certain investigative step cannot by itself be a ground to grant anticipatory bail in case involving such grave allegations. The Court is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. The offence under Section 307 IPC carries a severe punishment and reflects a serious threat to human life and public order. Granting anticipatory bail in such a case, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. The recovery of weapon alone does not dilute the seriousness of the offence or the petitioner's direct involvement in the



same. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '*State Vs. Anil Sharma*', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

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10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Thus, the present petition being devoid of merits is hereby dismissed.

11. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

14.10.2025*D.Bansal*

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