



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

105

**CRM-M- 45827-2025**

**Date of decision: 22.08.2025**

**Shamsher Singh**

**.....Petitioner**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Gagandeep Singh, Advocate for  
Mr. Deepak Arora, Advocate for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

Mr. Bisham Kinger, Advocate for the complainant.

**SANDEEP MOUDGIL, J (ORAL)**

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in petitioner in case FIR No.96, dated 28.05.2025, registered under Sections 109, 351(2), 351(3), 308(5), 115(2), 190, 191(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 25,54,59 of Arms Act, 1959 at Police Station Khalra, District Tarn Taran (Annexure P-2).

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner contends that the petitioner has been falsely implicacted in the present case. He submits that alleged injury



attributed to the petitioner is at the non-vital part of the body. No recovery is to be effected from the petitioner. Co-accused Lovepreet Singh and Ranjeet Singh have already been granted concession of anticipatory bail by this Court vide orders dated 19.09.2025 passed in CRM-M-44724-2025 and order dated 17.07.2025 passed in CRM-M-37487-2025 respectively.

Notice of motion.

**On behalf of the State**

On the asking of the Court, Mr. J.S. Rattu, DAG, Punjab accepts notice on behalf of the respondent-State, who vehemently opposes the prayer stating that the petitioner was part of the unlawful assembly and the injuries attributed to him are serious in nature.

**On behalf of the complainant**

Learned counsel for the complainant vehemently opposes the prayer urging that the disclosure statement specifies that the petitioner had caused stick blow but he could not controvert the fact that the injury was inflicted on hand.

Both the State counsel as also counsel for the complainant failed to substantiate that the injuries caused by the petitioner were either grievous or dangerous to life.

4. **Analysis**

Be that as it may, upon due consideration of the submissions advanced and, in particular, taking note of the fact that though the petitioner was part of unlawful assembly, but no fatal injury has been attributed to him and co-accused Lovepreet Singh and Ranjeet Singh have already been granted concession of anticipatory bail by this Court, this Court is of the considered opinion that custodial interrogation of the petitioner is not warranted at this stage as nothing is to be recovered from him. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions



and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one



week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

**( SANDEEP MOUDGIL )  
JUDGE**

22.08.2025  
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**Whether speaking/reasoned: Yes/No**  
**Whether Reportable: Yes/No**