

CNR No:PBPT010085742026

CASE No:BA-2857-2026

**SIKANDAR SINGH VS STATE OF PUNJAB**

FIR No.203 dated 03.07.2026

Under Sections 109, 115 (2), 126 (2), 351 (3), 191 (3), 190 of BNS 2023.

(Corresponding Sections 307, 323, 341, 506, 148, 149 of IPC)  
Police Station Patran, Distt Patiala.***Application u/s 482 Bhartia Nagarik Suraksha Sanhita, 2023.*****\*\*\*\*\***

Present: Sh.Harmandeep Singh Sidhu, Advocate for the applicant-accused.  
Ms.Anju Narula, learned APP for the State.  
Sh.Sukhwinder Singh Bal, Advocate for the complainant.

**ORDER**

1. Reply to the bail application has been filed.
2. Arguments heard on the anticipatory bail application. Through this bail application, it has been submitted on behalf of the applicant that there is no reason to believe that the applicant has committed the alleged offence. Moreover, no specific overt act is attributed to the applicant during the alleged occurrence. The applicant is active worker of Indian Nation Congress Party and is actively participating in the party activities. On the other side, the complainant of the present FIR is a leader of ruling AAP party and his wife is sitting member of Municipal Council, Patran. During the last elections of municipal council, Patran, the complainant on dated 16.05.2026 at about 1:30 PM. snatched the nomination papers from one Sukhwinder Kaur wife of Jagdev Singh, who was contesting election from Congress party. The applicant was also present there and when he was tried to intervene then the Complainant of the present FIR along with

**Sucheta Ashish Dev/ASJ/JSC/Patiala/4.8.2026**

some other persons attacked upon the applicant and give severe beatings to him. An FIR No. 163 dated 17.05.2026 Under section 115 (2), 126 (2) 351 (3), 191 (3), 190 BNS was registered at Police station Patran, District Patiala on the statement of applicant. The local MLA namely S. Kulwant Singh Bazigar, Complainant of the present FIR and some other close aide of the complainant have grudge against the applicant and they were regularly threatening to face dire consequences for interfering in their job on dated 15.06.2026 and threatening to implicate him in false criminal cases, SHO PS Patran, complainant and other leaders of AAP, the complainant approached to Punjab State Human Rights Commission, Chandigarh by filing a Protection Petition against these all including the complainant. The applicant has not committed any such alleged crime but his nomination in the present FIR is just because of the reasons mentioned above. The police of police station Patran has falsely implicated the applicant in the above noted FIR. There is no reason, why the applicant committed above said crime. The police of the Police Station Patran, Distt Patiala is frequently visiting the place of the residence of the applicant and wanted to arrest on the basis of the above mentioned wrong and false FIR, which is totally baseless and without any merit. Hence this application seeking anticipatory bail.

3. Notice of the application had been given to learned APP for the State. ASI Jajwinder Singh, No.209/PTA, Posted as Incharge PP City Patran got recorded his statement that it is the first bail application filed

by the applicants. No other bail application of the accused/applicants has been disposed off by the Hon'ble Punjab and Haryana High Court or any other court of Law.

4. In the reply filed by the complainant, it has been submitted that the accused Sikandar Singh, who is involved in a grave and heinous offence arising out of a brutal assault upon the complainant. The allegations, duly corroborated by photographs and video recordings of the occurrence placed on record, prima facie establish the active involvement of the accused in the commission of the offence. The accused is a habitual offender with several criminal cases already registered against him, disentitling him from the discretionary relief of bail. The investigation is still at a crucial stage, as the recovery of the weapons used in the occurrence and the mobile phone through which photographs and live videos of the incident were recorded and uploaded on social media is yet to be effected. Custodial interrogation of the accused is, therefore, essential for effecting the recoveries, preserving and extracting electronic evidence, identifying the social media accounts used for uploading the videos, and ascertaining the role of each accused. In the event of his release on bail, there exists a real likelihood that the accused may tamper with or destroy material and electronic evidence, influence or intimidate the complainant and prosecution witnesses, and obstruct the course of justice. In view of the gravity of the offence, the accused's criminal antecedents, the pending recoveries, and the necessity of custodial

interrogation, no case for grant of bail is made out, and the present application deserves to be dismissed.

5. After taking into consideration the arguments advanced on behalf of both the parties, this court has observed that the principles governing the grant of anticipatory bail are well settled. In **Gurbaksh Singh Sibbia v. State of Punjab**, (1980) 2 SCC 565, the Constitution Bench of the Hon'ble Supreme Court held that the power to grant anticipatory bail is an important safeguard of personal liberty and must be exercised by balancing the interests of the individual with those of a fair investigation. The said principle has been reaffirmed by another Constitution Bench in **Sushila Aggarwal v. State (NCT of Delhi)**, (2020) 5 SCC 1, wherein it was held that anticipatory bail need not ordinarily be limited by time and that the Court must assess whether custodial interrogation is genuinely required. Further, in **Arnesh Kumar v. State of Bihar**, (2014) 8 SCC 273, the Hon'ble Supreme Court emphasized that arrest is not to be made routinely and that deprivation of liberty must be justified by the requirements of investigation. These principles continue to govern the exercise of jurisdiction under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The Hon'ble Punjab and Haryana High Court has also consistently held that anticipatory bail should not be declined merely because the allegations are serious, unless the prosecution is able to demonstrate the necessity of custodial interrogation or the likelihood of the accused absconding, tampering with evidence, or influencing witnesses. The power under Sec-

tion 482 BNSS is intended to protect individual liberty while ensuring that the investigation remains fair and effective.

6. In the present case, the applicant has taken a specific plea of political rivalry and previous litigation between the parties, including registration of an earlier FIR at his instance against the complainant and the filing of a protection petition before the Punjab State Human Rights Commission. Without expressing any opinion on the correctness of these rival claims, they do indicate that there exists prior animosity between the parties, which is a relevant circumstance while considering the prayer for anticipatory bail. At this stage, the Court is not expected to conduct a mini-trial or adjudicate upon the truthfulness of the rival allegations. The prosecution has contended that recovery of weapons and the mobile phone allegedly used for recording and uploading the videos is yet to be effected. However, no specific material has been placed before this Court to show that such recovery cannot be effected even after the applicant joins the investigation or that custodial interrogation alone would facilitate such recovery. Mere assertion regarding the necessity of custodial interrogation, without demonstrating its indispensability, cannot by itself justify denial of anticipatory bail. The apprehension of the complainant regarding possible interference with the investigation can be adequately addressed by imposing stringent conditions.

7. The applicant has expressed his willingness to join the investigation and cooperate with the Investigating Agency. There is nothing on

record to indicate that he has evaded the process of law or has failed to cooperate with the investigation. The object of anticipatory bail is not to shield an accused from investigation but to protect him from unnecessary arrest while ensuring his availability for investigation.

8. Keeping in view the aforesaid circumstances and considering the fact that the accused/applicant is ready to join the investigation and to fully cooperate with the investigation, therefore, it would be apt if the accused/applicant is asked to join the investigation. Therefore, the accused/applicant is directed to join the investigation with the Investigating Officer and upon his doing so, the IO shall come present on 17.8.2026 for submitting report regarding the joining in investigation of the accused/applicant. In case, the accused/applicant is to be arrested by the police in the present case, the Investigating Officer is directed to release him on bail to his own satisfaction till the next date of hearing i.e. 17.8.2026. The accused/applicant shall abide by the terms and conditions as envisaged u/s 482 (2) BNS. Copy of this Order be sent separately to the concerned police station for information and necessary compliance. Now, to come up on 17.8.2026 for awaiting report of Investigating Officer.

Pronounced in the open  
Court on 4.8.2026.

(Sucheta Ashish Dev)  
Additional Sessions Judge, Patiala  
UID No.PB0261

*Dilpreet Singh*

*Dictated  
Directly*