

**IN THE COURT OF P.S. KALEKA,
ADDITIONAL SESSIONS JUDGE, HOSHIARPUR.
(UID NO.PB-0253).**

CIS No. BA-2962-2025
CNR No:PBHO010087582025
Decided on: 12.11.2025

Sunny @ Sahil aged about 17 years son of Shri Harmesh Lal @ Harmesh Pal @ Meshi, residing of Birring, District Jalandhar.

....Juvenile/Petitioner/Applicant.

Versus

State of Punjab

....Respondent.

FIR No.145 dated 10.10.2025
Under Sections 115(2), 118(1), 333, 191(3), 190 of BNS
Police Station Bullowal, Hoshiarpur.

**FIRST BAIL APPLICATION U/S 482 BNSS ON BEHALF OF
JUVENILE/APPLICANT FOR ISSUING DIRECTIONS TO
SHO/IO/AO OF POLICE STATION BULLOWAL, HOSHIARPUR TO
RELEASE THE APPLICANT ON BAIL IN THE EVENT OF HIS
ARREST.**

Present: Shri Satnam Paul, Advocate for bail-applicant.
Shri Rahul Dadhwal, Ld. Addl. PP for the State.

ORDER:

This order of mine shall dispose of anticipatory bail application
filed by applicant Sunny @ Sahil.

2. Notice of bail application was issued to the State through Learned
Additional Public Prosecutor of the State, who put in appearance. He hadn't

filed any reply to the bail application rather submitted that he will orally argue the matter.

3. Concerned Ahlmad has reported that no other bail application in the present case is pending in the Hon'ble High Court.

4. The learned counsel for the applicant/accused has vehemently contended that the present bail application has been filed by the juvenile through his mother who is competent to file the present bail application on behalf of juvenile. The applicant/juvenile has been falsely implicated in the above said case. He further contended that the applicant /juvenile is minor and his date of birth is 31.7.2007. As such the applicant was less than 18 years of age and as such provisions of Section 12 of the Juvenile Justice (Care and Protection of Children Act, 2000) is applicable to the applicant. He further contended that true facts are that the complainant is brother-in-law of the sister of present accused/applicant. On 5.10.2025 the husband, brother-in-law and father-in-law of the sister of applicant/accused namely Seeta were in drunkard condition and under the influence of liquor they gave merciless beatings to the sister of applicant/accused and thrown her out from her matrimonial home alongwith her minor daughter. Then sister of the applicant called the brother of juvenile namely Rajinder Kumar @ Nadu from the mobile of her husband, and applicant/juvenile alongwith his elder brother reached at village Sandhran and took his sister alongwith minor girl and came to his house. At that time, the applicant/accused had no discord with anyone and had not given any injury to any person and even no unknown person accompanied him. The complainant

by narrating false and frivolous facts and by showing false injuries got registered the alleged FIR against him. The applicant/juvenile is ready to join investigation and as such custodial interrogation of juvenile is not required. The applicant/juvenile undertakes to abide by the terms and conditions as imposed by the Court. Lastly, prayer has been made for acceptance of pre-arrest bail.

5. On the other hand, the Ld. Addl. Public Prosecutor for the State, argued that the present FIR was registered on the statement of Lovedeep Singh. As per the statement that his elder brother is married and has returned from Doha Qatar. The wife of his elder brother namely Seeta used to have matrimonial dispute with his elder brother. On 05.10.2025 they were present at the house and the sister-in-law namely Seeta started altercation with her mother-in-law. When his brother arrived at the house, he tried to pacify the matter and in the meantime Seeta informed her family members on telephone. After sometime 10-12 persons came to their house and Rajinder Kumar @ Nandu armed with Datar and Sahil armed with Datar whom the complainant identified trespassed into their house. The accused started altercation with his brother and in the meantime accused Sahil caused injury on the person of Lovedeep Singh which fell on his head and they also caused injuries to Tarlok Kumar. One Gaganpreet Singh who is their neighbor also came there and the applicant/accused also caused him injuries. The injury on the lips of Gaganpreet by way of punch blow is caused by applicant/accused. The weapon is yet to be recovered and the accused/applicant is required for

custodial interrogation. Therefore, the present juvenile/petitioner/applicant do not deserve leniency of the Court in grant of bail and prayed for dismissal of the application.

6. Complainant Lovedeep Singh suffered statement that he is the complainant of FIR No.145 dated 10.10.2025 and the FIR was registered against his sister-in-law namely Seeta, Rajinder Kumar @ Nandu and Sunny @ Sahil applicant/accused and some unknown persons. He has compromised the matter with the accused persons and he has no objection if the bail is granted to accused persons.

7. Injured Tarlok also suffered statement that he also suffered injuries in the occurrence qua which the FIR was registered and he has compromised the matter with the accused persons and he has no objection if the bail is granted to the accused persons. ASI Sanjiv Kumar, No.1153/HPR identified the complainant Lovedeep Singh in the Court today.

8. I have heard the Learned Additional Public Prosecutor for State and the Learned Counsel for bail-applicant and have gone through the police record carefully.

9. Before delving deep in the matter, it is essential to discuss the guiding parameters laid down by the Hon'ble Apex Court for disposal of the application for pre-arrest bail as outlined in **Gurbaksh Singh Sibbia v. State of Punjab, (SC) 1980 AIR(SC) 1632, Bhadresh Bipinbhai Sheth v. State of Gujarat and Another 2015 AIR(SC) 3090 and Sushila Aggarwal and others - Petitioners Versus State (NCT of Delhi) and another –**

Respondents 2020 AIR (SC) 831. The same are as under:-

- (a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;
- (b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;
- (c) The possibility of the applicant to flee from justice;
- (d) The possibility of the accused's likelihood to repeat similar or other offences;
- (e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;
- (f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;
- (g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the Penal Code, 1860 the court should consider with even greater care and caution, because over implication in the cases is a matter of common knowledge and concern;
- (h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be

prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the course of events, the accused is entitled to an order of bail.

10. Perusal of the file shows that FIR in the matter in hand was registered at the statement of Lovedeep Singh son of Satnam Singh, resident of Village Sandhran, Police Station Bullowal that he is resident of abovesaid address and is running a building workshop at Bus Stand Sandhran. They are three brothers and elder brother namely Tarlok Kumar is married with Seeta daughter of Harmesh Lal @ Meshi resident of Birring, Police Station Cantt. Jalandhar for the last 8 years. His brother is residing abroad and his wife used to quarrel during the absence of brother. On 5.10.2025 his sister-in-law Seeta was present in the house alongwith Kamaljit Kaur mother of the complainant and she started fighting with her and when his brother Tarlok Kumar came back from his work then on hearing noise he tried to pacify his mother and wife but Seeta kept quarreling with her mother-in-law. At about 10:00 pm she called her parental family to Village Sandhran and they came to the house of the complainant in two vehicles and motorcycles awheel 12-13 persons. They

forced their entry inside the gate. Rajinder Kumar armed with datar, Sahil armed with datar and other persons armed with sticks started quarreling with Tarlok, brother of the complainant, and his mother Kamaljit Kaur and when the complainant stopped them and told that they can sit and talk then Sahil gave datar blow which hit on the head of the complainant. When Tarlok Kumar tried to save him then they also caused injuries to him. Their neighbour Gaganpreet Singh also came at the spot and they also gave beatings to him. They all raised alarm then co-villagers gathered at the spot and accused alongwith his sister-in-law Seeta and niece Latisha daughter of the brother of the complainant fled from the spot. The injured were taken to Civil Hospital, Sham Chaurasi where doctor issued MLR and referred them to Civil Hospital Hoshiarpur. The MLR No.SH/119/2020 of Tarlok Kumar show two injuries on his person which were declared blunt and injury no.1 was declared simple and injury no.2 was kept reserved for x-ray examination. MLR No.SH/120/2025 of Lovdeep Singh show one injury on his person which was declared sharp. MLR No.SH/121/2025 of Gaganpreet Singh shows two injuries on his person which were declared blunt and injury no.1 was declared simple and injury no.2 was kept reserved for x-ray examination. On the basis of the statement of complainant and MLRs, present FIR has been registered against the accused.

11. Now complainant Lovdeep Singh and injured Tarlok Kumar themselves suffered statement that they have compromised the matter and they have no objection if the bail be granted to the accused. Moreover, the accused/applicant happens to be close relatives of the complainant and injured

being brother-in-law of brother of complainant. As such, in such peculiar circumstances and eventuality, no useful purpose would be served by detaining the accused/applicant, behind bars. So, without commenting much upon merits and keeping in view the facts and circumstances as above, it would be in the fitness of things to admit the applicant/accused on pre-arrest bail. As such, the application for pre-arrest bail stands allowed and the applicant/accused Sunny @ Sahil is directed to join investigation within 10 days from today and on his doing so, investigating/arresting officer shall admit him on bail to his satisfaction. It is made clear that in case bail-applicant failed to join the investigation within the stipulated time, then this order shall ceased to have any effect and there will be no extension of the period. The present order is subject to the following conditions as envisaged under Section 482 B.N.S.S:-

1. the accused-applicant shall make himself available for interrogation by the investigating officer/competent police officer as and when required;
2. the applicant/accused shall not, directly or indirectly, made 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 to any police officer;
3. the accused-applicant shall not leave India without the previous permission of the Court, including the trial Court.
4. the accused- applicant shall attend the proceedings in accordance

with the conditions of the bonds so executed under Chapter XXXV of B.N.S.S.

5. the accused- applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

6. the accused-applicant shall not tamper with the evidence by any means;

7. the accused-applicant shall appear before the trial court on each date of hearing unless him personal appearance is exempted.

12. In case of violation of any of the conditions so imposed upon the accused/applicant, the investigating officer will be at liberty to file an appropriate application seeking cancellation of the bail granted to the applicant through the present order. Further, in case of breach of any of the conditions so imposed through the present order by the accused/applicant, the trial court will also be at liberty to cancel the bail order of the accused.

13. The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application and, as such, are not to be construed as an expression on the merits of the case (criminal trial). Intimation be sent to SHO of concerned police station. Police record be returned and file of bail application be consigned to record room.

Pronounced in open Court:
Dated: 12.11.2025

Anil, Stenographer

(P.S. Kaleka),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0253).

Present: Shri Satnam Paul, Advocate for bail-applicant.
Shri Rahul Dadhwal, Ld. Addl. Public Prosecutor for the State.

Report of Ahlmad is also received and perused. Arguments heard.

Vide separate detailed order of the even date, the anticipatory bail application in hand stands allowed, subject to the conditions mentioned therein. Police record be returned and file of bail application be consigned to record room.

Pronounced in open Court:
Dated: 12.11.2025

Anil, Stenographer

(P.S. Kaleka),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0253).