



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

(103)

CRM-M-35150-2026 (O&M)Date of Decision: **03.07.2026**

HARJINDER SINGH AND ANOTHER

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Sidhant Vermani, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab
assisted by complainant.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is the second petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to erstwhile Section 438 of the Code of Criminal Procedure, 1973), seeking the extraordinary relief of anticipatory bail in the cross-version registered against the petitioners vide GD No. 46 dated 13.11.2025 (Annexure P-2), under Sections 109, 125, 333, 305, 118(1), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25 and 27 of the Arms Act, 1959 (corresponding to Sections 307, 336, 452, 380, 324, 146, 148 and 149 of the Indian Penal Code, 1860), arising out of the main case registered vide FIR No. 260 dated 21.10.2025 under Sections 103, 125, 118(1), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25 and 27 of the Arms Act, 1959 (corresponding to Sections 302,



336, 146, 148 and 149 of the Indian Penal Code, 1860), at Police Station Lopoke, District Amritsar (**Annexure P-1**).

2. Briefly stated, the prosecution case is that on 20.10.2025, one Hari Singh (since deceased), along with the present petitioners and other members of his family, was allegedly attacked by Ranjit Singh, Rachpal Singh, Ajmer Singh and their associates, who were stated to be armed with deadly weapons. It is alleged that, as a consequence of the said assault, Hari Singh sustained fatal injuries and succumbed thereto. In respect of the said occurrence FIR alleging the commission of offences including murder (Annexure P-1) was registered.

3. Learned counsel for the petitioners submits that the present is a second petition seeking the concession of anticipatory bail, the earlier petition having been dismissed on merits by this Court. It is, however, contended that subsequent thereto, certain material developments have occurred warranting reconsideration of the matter. It is submitted that an amicable settlement has since been arrived at between the petitioners and the complainant in the cross-version, and both parties, being residents of the same village, have resolved their disputes, with the complainant expressing no desire to pursue the cross-version any further. Learned counsel further contends that the cross-version itself is inherently doubtful, inasmuch as GD No. 45 dated 13.11.2025 records that the allegations required verification, whereas GD No. 46, recorded on the same day and at the same time, abruptly records verification and registration of the cross-version, thereby giving rise to a *prima facie* inference of procedural irregularity and *mala fide* action. It is further submitted that co-accused



Jasbir Singh has already approached this Court seeking transfer of investigation to an independent agency on the ground of bias on the part of the local police, wherein the respondent-State has been directed to file a status report. Lastly, it is argued that the allegations in the cross-version are vague, omnibus and bereft of any specific attribution regarding overt acts or injuries against the petitioners. The petitioners undertake to join the investigation as and when required and to abide by all such conditions as may be imposed by this Court. On these premises, it is prayed that the petitioners be extended the concession of anticipatory bail.

4. I have heard learned counsel for the petitioners at length and have carefully perused the paper book with his able assistance.

5. Upon a *prima facie* consideration of the rival submissions and the material available on record, this Court is of the considered view that no case is made out for exercising the extraordinary discretionary jurisdiction vested in this Court for the grant of anticipatory bail. Admittedly, the present is a second petition seeking the concession of anticipatory bail, the earlier petition having already been dismissed by this Court on merits. It is a settled principle of law that a successive petition for anticipatory bail is maintainable only upon the existence of a substantial and material change in circumstances arising subsequent to the dismissal of the earlier petition. In the present case, the petitioners have failed to demonstrate the existence of any such change warranting reconsideration of the relief already declined.

5.1. The principal ground sought to be pressed into service is the alleged compromise arrived at between the parties in the cross-version. In



the considered opinion of this Court, the said compromise, by itself, cannot be construed as a material change of circumstance so as to justify reopening an issue which already stands adjudicated on merits, particularly when the investigation is yet to attain finality. Equally untenable are the submissions founded upon the alleged discrepancy in GD Nos. 45 and 46 and the pendency of proceedings initiated by a co-accused seeking transfer of investigation. These submissions involve disputed questions of fact, the correctness whereof cannot be examined in proceedings under Section 482 of the BNSS seeking anticipatory bail, nor do they furnish a legally sustainable ground for grant of such discretionary relief.

5.2. The mere existence of a cross-case or cross-version also does not *ipso facto* entitle the petitioners to the concession of pre-arrest bail. It is well settled that each version is required to be evaluated independently on the basis of the material collected during investigation. In the absence of any fresh or substantial circumstance having arisen after dismissal of the earlier petition, this Court finds no justification to take a view different from the one already taken.

5.3. Consequently, without expressing any opinion on the merits of the case, the present petition, being devoid of merit, is hereby **dismissed**.

6. It is, however, clarified that the observations recorded herein are purely *prima facie* in nature and have been made only for the purpose of adjudicating the present petition. The same shall neither be construed as an expression of opinion on the merits of the case nor prejudice the rights and contentions of either party during the course of investigation, trial, or any other proceedings.



7. Consequent upon the dismissal of the present petition, all pending miscellaneous applications, if any, shall also stand disposed of. No separate order is called for in respect thereof.

03.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No