



2026:PHHC:097739



2026:PHHC:097739

104

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

**CRM-M-38722-2026
DECIDED ON: 17.07.2026**

UPKARAN SINGH**.....PETITIONER**

VERSUS

STATE OF PUNJAB AND OTHERS**.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Nitin Narula, Advocate,
for the petitioner.

SANJAY VASHISTH, J (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Upkaran Singh aged about 35 years	0002	07.01.2026	109 of BNS [erstwhile section 307 of IPC] and sections 25, 27 of Arms Act, 1959	City Patti	Tarn Taran

2. Complainant namely Rajwant Kaur got registered the FIR and same reads as under:-

“I am the resident of the said address and do house hold work. There is land dispute between Upkaran Singh, Mankaran Singh sons of Gurmeet Singh, who live in the house next to us. Yesterday on dated 06.01.26, the time would be around 9.15 PM, Upkaran Singh under the influence of liquor was giving beatings to his mother Pardeep Kaur and was abusing his brother Mankaran Singh. During this, after hearing



the noise I and my husband Kulbir Singh went to the upper portion of the house and my husband asked Upkaran Singh why he is harassing his mother and why he is abusing his brother Mankaran Singh, upon which Upkaran Singh got angry and fired a direct shot from his 12 bore pistol on my husband Kulbir Singh with the intension to kill him and in order to save my husband I pushed him and the shot hit on the thumb of my left hand. I fell on the ground bleeding and shouted "Maar Ditta Maar Ditta". Then the accused Upkaran Singh along with the pistol ran away from the spot. My husband after arranging the vehicle got be admitted at Civil Hospital, Patti for treatment, where I am going under treatment. The reason for enmity is that the accused Upkaran Singh thinks that my husband Kulbir Singh is a respected man who helps Mankaran Singh in the land dispute which is not true. The accused Upkaran Singh son of Gurmeet Singh resident of Mohala Mughala Wala, Ward No.8, Patti has fired on my husband with the intension to kill him. I am under treatment at Civil Hospital, Patti. Strict Legal action should be taken against the accused. Statements have been recorded and heard and are correct. SD/- Rajwant Kaur verified by SD/- Kulbir Singh attested by Kulbir Singh ASI Police Station Patti Dated 07-01-2026."

3. Allegation against the petitioner is that on 06.01.2026, at about 9:15 p.m., he was under the influence of alcohol and was assaulting his mother, namely Pardeep Kaur, besides abusing his brother, namely Mankaran Singh. Upon hearing the commotion, complainant's husband, Kulbir Singh, went to the upper portion of the house and questioned the petitioner as to why he was harassing his mother. Enraged by the intervention, petitioner allegedly fired a shot from his 12-bore pistol at Kulbir Singh with the intention of causing his death. In an attempt to save her husband, complainant-Rajwant Kaur, sustained a firearm injury on the left thumb of her left hand.

4. Learned counsel for the petitioner submits that subsequent to the occurrence, parties have amicably resolved their dispute. It is



contended that complainant-Rajwant Kaur, and her husband-Kulbir Singh, have executed affidavits acknowledging the compromise. On the strength of the said compromise, learned counsel prays for grant of the concession of anticipatory bail to the petitioner in the present case.

5. Notice of motion.

6. On advance notice, Mr. Neeraj Madaan, learned Senior Deputy Advocate General, Punjab, appears on behalf of the respondent-State, and Mr. Sandeep Sharma, Advocate, appears on behalf of respondent Nos.2 and 3 and files his power of attorney in Court today, which is taken on record.

7. Learned counsel for respondent Nos.2 and 3 also confirms the factum of compromise, as stated by learned counsel for the petitioner.

8. This Court has heard the learned counsel for the parties and has carefully perused the record.

9. Allegations in the present case disclose that petitioner, while under the influence of alcohol, allegedly assaulted his own mother and abused his brother. When Kulbir Singh intervened to protect the petitioner's mother, petitioner is alleged to have fired a shot from a 12-bore pistol with the intention of killing him, resulting in complainant sustaining a firearm injury. Such allegations depict an act of grave violence within the family and cannot be lightly brushed aside merely on the basis of a subsequent compromise.

A person who allegedly resorts to physical violence against his own mother and uses a firearm against a family member who intervenes cannot, at this stage, claim the discretionary relief of



anticipatory bail solely on the basis of a compromise. Conduct attributed to the petitioner, if established, reflects complete disregard for familial relationships and the rule of law. The extraordinary relief under Section 438 Cr.P.C. is discretionary and is required to be exercised judiciously, keeping in view the nature and gravity of the allegations as well as the conduct of the accused.

10. In the facts and circumstances of the present case, this Court does not find it to be a fit case for extending the concession of anticipatory bail to the petitioner. **Accordingly, present petition is dismissed.**

11. Senior Superintendent of Police, Tarn Taran, is directed to ensure that the concerned Investigating Officer shall take all the necessary steps without any delay. In the event of any lapse or unwarranted delay, Senior Superintendent of Police shall furnish an explanation to this Court.

12. Further, a compliance report shall be submitted to this Court within a period of 15 days from today.

(SANJAY VASHISTH)
JUDGE

17.07.2026

Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>