



110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46352-2025(O&M)

Date of Decision:22.08.2025

ASI Dilbag Singh

...Petitioner

vs.

State of Union Territory,
Chandigarh.

...Respondent

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Samay Singh Sandhawalia, Advocate
for the petitioner.

Mr. Manish Bansal, P.P. for U.T., Chandigarh.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of BNSS with a prayer to grant anticipatory bail to him in case FIR No.68 dated 06.08.2025 (Annexure P-1), registered under Section 109(1) of BNS, at Police Station North, Chandigarh.

2. The FIR in the present case was registered on the basis of the complaint moved by Mr. Dalvinder Singh, Chief Court Officer, of this Court and the copy of the complaint, which forms the basis of the FIR, reads as follows:-

“To the Registrar General Punjab and Haryana High Court. Chandigarh Respected Sir, It is submitted that on 04.08.2025 Sh. Mohan Lal Bimbura, Special Secretary to Hon'ble Mr. Justice Vikas Suri, telephonically asked me to meet his Lordship with regard to P.S.Os attached with Hon'ble Judge, Accordingly, on that day. I met His Lordship. Hon'ble Judge intimated me that 2 P.S.Os attached with His Lordship are performing their duty at their own which his Lordship directed me

to call them and enquired in this regard. After obtaining their names and mobile numbers from Special Secretary to Hon'ble Judge, firstly I called PSO namely Sh. Tarun on 05.08.2025 in C.O.(M) branch and he submitted that with mutual consent with other P.S.O. namely Sh. Dilbag Singh, they have interchanged their duties without bringing the same in the knowledge of Hon'ble Judge. Today i.e. 06.08.2025, Sh.Dilbag Singh, PSO was telephonically conveyed to meet me in CO.(M) branch at around 12.10 pm, he came in the branch and sat in the sofa lying in front of my table. When I enquired into the matter, he started arguing angrily and said that "you are insulting me by calling in your office. Thereafter, in fit of anger he took out his official pistol and pointed at me and fired the shot. But with the grace of god bullet fire didn't took place. Instantly the branch member and me over powered him to prevent him to fire another shot. Branch member also captured the incident on their mobile phones. In the meantime police from nearby police post was called and they forcibly took pistol from his and took him towards police post. But before entering the gate of police post Sh. Dilbag Singh hit punches on my face due to which some injuries caused on my nose. The footage of the said incident has also been recorded in the CCTV cameras installed in the High Court premises. This life threatening act of PSO is totally unwarranted. Such a person can take life of any person in the moment of anger. I could be victim of such type of person if branch members namely Sh. Tarun, Sh. Rahul Adhana, Sh.Sudeep Singh, Sh. Arun Kumar, Sh. Pawan Khichi, Sh. Ashok Kumar, Sh. Rajesh Kumar and Sh. Neeraj Kaushik had not held me to overpowered Sh. Dibrag Singh, PSO. It is my humble request that matter may be got enquired and strict action may be taken against Sh. Dilbag Singh. Yours faithfully Sh. Dalvinder Singh, Chief Court officer."

3. Learned counsel for the petitioner contends that in the present case, no gun shot was fired and the complainant had allegedly suffered simple injuries. No injury suffered by the complainant/injured has been declared to be dangerous to life and the offence under Section 109 (1) of BNS has been wrongly invoked by the police. He further refers to the general diary report (Annexure P-3) to contend that the service pistol and 10 rounds, which were allotted to the petitioner, have already been recovered by the police in the present case. Even, it has been wrongly alleged that the petitioner had tried to fire at the complainant as the 10 rounds in 9 mm standard service pistol were found to be complete and there was no question of firing at the complainant. In fact, there was exchange of hot words between the parties and even the petitioner had suffered injuries in the alleged incident.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by the petitioner of the ground that the petitioner had not only shouted at the complainant, but also tried to open fire at the complainant and with the timely intervention of the other officials of the branch, the life of the complainant could be saved. Otherwise, the petitioner would have caused more physical harm to the complainant.

5. During the course of hearing, the petitioner and complainant were also heard by the Court and the present petitioner has tendered an unconditional apology to the complainant of the present case. The petitioner stated that the occurrence had taken place in the heat of the moment and he had high regards for the complainant in the present case. He apologized to the complainant and stated that in future, he will never approach the complainant nor would cause

any harm to him or any other family member. Even an affidavit has been filed by the petitioner in this regard and the same is also taken on record.

6. I have heard learned counsel for the parties and perused the record carefully.

7. Undoubtedly, the allegations leveled by the complainant against the present petitioner are serious in nature and being a member of disciplined force, the petitioner is also expected to behave in a responsible manner. Even otherwise, the petitioner was on security duty before this Court and he should have acted in more disciplined and careful manner.

8. However, keeping in view the fact that the petitioner has tendered an unconditional apology to the complainant in Court itself, this Court has taken a lenient view of the matter and the petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

9. Pending application, if any, stands also disposed of.

22.08.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No