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

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CRM-M-33625-2026
Date of decision : 07.07.2026

ANUJ

... PETITIONER

Versus

UT CHANDIGARH

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ankur Malik, Advocate for the petitioner.

Mr. Viren Sibal, APP for U.T. Chandigarh.

H.S. Grewal, J.(Oral)

1. The petitioner has filed the present petition under Section 482 of BNSS, 2023 (erstwhile Section 438 Cr.P.C.) seeking the concession of anticipatory bail in case FIR No.73 dated 02.11.2024, registered under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (erstwhile Sections 302 and 34 IPC) at Police Station Sarangpur, Chandigarh.

2. The case of the prosecution is based upon the statement of complainant-Arun @ Ganja, a student of Class VII, who alleged that on 01.11.2024, at about 6:30 PM, he along with Rishab and Suraj had gone to Khuda Jassu on an Activa. When they reached near Talwar Dairy, Khuda Jassu, the petitioner along with co-accused Anit @ Anna, Khan, Billa and others intercepted them. It is alleged that Anit @ Anna inflicted knife blows on the chest and abdomen of Rishab, while Khan and Billa also assaulted him with sharp-edged weapons on his legs. The assailants allegedly proclaimed that they were taking revenge for the death of their friend 'Maddy' and threatened the



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victims before fleeing from the spot in a vehicle. Rishab was initially taken to General Hospital, Sector 16, Chandigarh and was thereafter referred to PGI, where he succumbed to his injuries.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific role or injury has been attributed to him in the FIR. It is submitted that there is no material to establish his presence at the place of occurrence and even the final report does not disclose any substantive evidence against him. Counsel further submits that during trial, the complainant (PW-1) as well as another eye-witness (PW-4) have not supported the prosecution version and have categorically deposed that the accused persons were not the assailants, whereupon they were declared hostile. It is further argued that the petitioner was not named in the original FIR and the investigating agency subsequently sought to connect him with the case without any cogent material. It is further submitted that the petitioner had earlier met with a serious accident resulting in permanent disability of his left hand and is still undergoing treatment. It is also submitted that the petitioner is ready and willing to join investigation and cooperate with the investigating agency.

4. *Per contra*, learned counsel for the respondent/UT, Chandigarh has filed the status report filed by way of an affidavit of Ms. Gurjeet Kaur, CPS, SDPO (Central), Union Territory, Chandigarh, which is taken on record. He, while referring to the status report, vehemently opposes the prayer for grant of anticipatory bail to the petitioner. He submits that there are specific and direct allegations against the petitioner, who is named in the FIR, regarding his active participation in the commission of the offence. It is submitted that the



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petitioner, along with the co-accused, was present at the spot and had caused an injury on the right leg of the deceased Rishabh, whereas co-accused Anit @ Anna inflicted knife blows on the chest and stomach of the deceased and co-accused Billa caused injuries with an iron rod. Learned counsel further submits that the petitioner had also raised an exhortation to co-accused Billa to kill the deceased and all the accused persons had committed the offence in furtherance of their common intention, in order to take revenge for the alleged murder of their friend Maddy. It is further submitted that the petitioner and co-accused had earlier also extended threats to the deceased on account of previous enmity. It is also submitted that during investigation, co-accused(s) were arrested and recoveries of the vehicle and weapons used in the commission of the offence, including knife, iron rod and slagger, were effected pursuant to their respective disclosure statements. However, the present petitioner, who is the real brother of co-accused Anit @ Anna, has been deliberately evading his arrest since the date of occurrence and the investigation qua him could not be completed. The challan against the arrested accused persons has already been presented on 31.01.2025, whereas supplementary challan qua the present petitioner is yet to be filed after his arrest and completion of investigation.

5. Learned counsel for the respondent/UT further submits that the petitioner is a habitual offender as he is involved in as many as 10 more cases and his custodial interrogation is required to collect further evidence. He, therefore, submits that the petitioner does not deserve the concession of anticipatory bail.

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



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7. The allegations levelled against the petitioner are serious in nature. The petitioner is specifically named in the FIR and a specific role has been attributed to him that he was present at the spot along with the co-accused and had caused injury on the right leg of the deceased Rishabh. Apart from the same, there is also an allegation that the petitioner had exhorted the co-accused during the occurrence. The offence is alleged to have been committed in furtherance of common intention and on account of previous enmity.

8. It is also evident from the status report that during the course of investigation, co-accused(s) have already been arrested and recoveries of the vehicle as well as weapons used in the commission of the offence have been effected pursuant to their disclosure statements. However, the present petitioner remained absconding since the date of occurrence and investigation qua him could not be completed. Moreover, the petitioner is involved in as many as 10 other criminal cases.

9. Keeping in view the nature and gravity of the allegations, the specific role attributed to the petitioner and his criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner.

10. Consequently, the petition is, hereby, dismissed.

11. However, it is clarified that the observations made hereinabove would not have any bearing on the merits of the case.

July 07, 2026
Sonia

(H.S.GREWAL)
JUDGE

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