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

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**CRM-M-34262-2025 (O&M)
Date of decision: 04.07.2025**

Daljeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amarsh Dudeja, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 05 dated 07.01.2025, registered under Sections 115, 126, 3(5), 308(2), 351(3), 140(3), 127(2) and 61 of Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*) at Police Station Sector 14, Panchkula.

2. Brief facts of the case relevant for the disposal of the present petition are that the aforementioned FIR has been registered on a written complaint filed by complainant Devendra alleging therein that he was working as an insurance agent. On 07.01.2025, he received a telephonic call on his mobile phone from a lady who asked him to visit her house situated in Sector12-A, Panchkula for the purpose of life insurance. When the complainant reached there, he was asked to sit on a sofa. When the discussion

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about insurance policy was going on, the said lady suddenly disrobed herself and started making obscene video with the complainant. In the meantime, a boy and a lady came out of the washroom of the house and disrobed the complainant and made a video clip of him. Thereafter, the complainant was pushed by them and was made a hostage. They raised demand of money and when the complainant refused to give money, he was beaten up by them. The lady took out Rs.15,000/- from the bag of the complainant. His mobile and ATM card were also taken out from the bag. The password of the ATM card was asked but when the complainant did not disclose the same, his mobile phone was broken and SIM card was taken out from the mobile phone. The ATM card was taken by the said lady who was being addressed as 'Mummy' and she came back after two hours. Since the complainant was not in possession of his phone, he was not aware whether any withdrawal of money was made from his account or not. By making aforesaid allegations, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings have been initiated and are underway. During the course of investigation, co-accused Monika @ Monikapal and Simranjit Kaur were arrested on 08.01.2025. They disclosed that the present petitioner was the boy, who has committed the subject crime along with them. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Panchkula but the same had been dismissed, vide order dated 22.05.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He has been nominated in this case on the basis of the disclosure statement suffered by the co-accused, which is not

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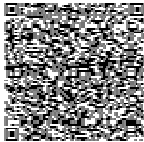
admissible in evidence. He is not involved in any other case and has clean antecedents. No specific role has been attributed to him. He is ready to join the investigation. No recovery is to be effected from him. His custodial interrogation is not required. No useful purpose would be served by detaining him in custody. Co-accused have been granted concession of regular bail. Therefore, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel, who has advance notice of the petition and is ready to argue the matter, has opposed the prayer of the petitioner by submitting that there are serious allegations against him. He has actively participated in subject crime along with the co-accused, in whose disclosure statements, his name has surfaced. His custodial interrogation is required for proper investigation in the matter. It is, thus, argued that the petition is liable to be dismissed.

5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner along with co-accused is alleged to have held the complainant captive in the house of the co-accused and is further alleged to have beaten him and snatched his money as well as ATM Card. It is also the allegation that they had broken the mobile phone of the complainant. Co-accused were arrested and they have duly nominated the petitioner as their associate. The allegations against the petitioner are quite serious in nature. His custodial interrogation is required for proper investigation in the matter. Even otherwise, no exceptional or extraordinary circumstance has been made out in his favour for grant of pre-arrest bail. The well settled proposition of law is

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that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. Keeping in view the discussion as made above, I am of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out rather his custodial interrogation is required for thorough investigation in the matter by the police. Accordingly, finding no merit, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

04.07.2025

Waseem Anwar

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No