



CRM-M-46951 of 2025

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

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CRM-M-46951 of 2025
Date of Decision: 03.09.2025

Buta Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. N.S. Dadwal, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.173 dated 30.07.2025 registered under Sections 103, 190, 191(3) and 324(4) of the Bharatiya Nyaya Sanhita, 2023, at Police Station City Jagraon, District Ludhiana (Rural).

2. Learned counsel for the petitioner contends that the petitioner is innocent and he has been falsely implicated in the present case due to old enmity. He further contends that neither the petitioner was present at the spot, nor was named in the FIR and initially the FIR was registered against two persons namely, Ramandeep Singh, Kuljit Singh and one unknown person. Co-accused Ramandeep Singh was arrested on 01.08.2025 and during investigation, he named one Sukhchain Singh as one of the



co-accused but the present petitioner was not named by him. As per the prosecution story, co-accused Sukhchain Singh was arrested on 06.08.2025 and during investigation, the name of present petitioner has cropped up. He further argued that the custodial interrogation of the petitioner is not required for any recovery and he is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

3. After registration of the FIR, investigation proceedings have been initiated and are under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana, vide order dated 18.08.2025.

4. On the other hand, learned State counsel, has filed the status report in the matter, which is taken on record. While referring to the same, he has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner has been nominated as an accused in the statement of co-accused Sukhchain Singh. The petitioner was a member of unlawful assembly and he was accompanying co-accused Ramandeep Singh in the vehicle in which there were weapons and petrol. All the co-accused including the present petitioner had given beatings to Jaskirat Singh and also put the vehicle of Jaskirat Singh on fire. Due to the injuries caused by all the accused including the present petitioner, Jaskirat Singh died and thus, the present petitioner along with co-accused has committed murder of Jaskirat Singh. He further submits that the custodial interrogation of the petitioner is required for fair and proper investigation in the matter as well as to effect



recovery of weapon of offence used in the crime. Hence, he prays for dismissal of the petition.

5. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

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6. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is accordingly dismissed.

7. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

03.09.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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