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

**CRM-M-49053-2025
Date of Decision: 03.09.2025**

MANJIT SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Saurabh Kaushik, Advocate
 for the petitioner.

Mr. Subhash Godara, Additional Advocate General, Punjab.

SUBHAS MEHLA, J. (ORAL)

The instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNNS, 2023') seeking grant of anticipatory bail in FIR No. 0054 dated 11.06.2025 under Sections 333, 115(2), 351(3), 191(3), 190 of BNS, 2023 (later on added Section 103 of BNS) registered at Police Station Kheri Gandain, District Patiala.

2. Learned counsel for the petitioner contended that simple injuries are attributed to the present petitioner. The complainant died later on due to other reasons and regarding his cause of death, no specific reason has been assigned and as per the opinion of the doctor, the reasons for death will be ascertained after receiving the *viscera* report. He prays for grant of anticipatory bail to the petitioner while submitting that he is ready and willing to join the investigation.

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3. On the other hand, learned State counsel, appearing on advance notice, opposes the grant of bail to the petitioner and contends that the petitioner along with other persons entered the house of the complainant and caused injuries to him including a head injury resulting to skull fracture. Consequently, the injured died due to the complications of that injury. Learned counsel for State submits that the petitioner is required for custodial interrogation and is not entitled for concession of bail.

4. Heard.

5. Keeping in view the submissions made by learned counsel for the parties and the fact that the allegations against the petitioner are serious in nature; the petitioner was a member of the unlawful assembly as he entered the house of the complainant and caused severe injuries to him and his family members. The fact that the petitioner has been named in the FIR as well as in the statement under Section 161 Cr.P.C. by the injured. So, the petitioner is not entitled to the relief prayed for and his custodial interrogation is required in view of the ratio of Law as held by the Hon'ble Supreme Court in case titled as "***C.B.I. vs. Anil Sharma***", 1997 AIR Supreme Court 3806 , decided on 03.08.1997:

....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disintering many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. Very often interrogation in such a

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*condition would reduce to a mere ritual. The argument that the
oustodial 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 task of
disintering offences would not conduct themselves as offenders.*

6. Accordingly, this Court does not find any merit in the petition
and the same is dismissed.
7. Nothing observed hereinabove shall be construed as an
expression of opinion by this Court on merits of the case.

03.09.2025
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(SUBHAS MEHLA)
JUDGE

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