



CRM-M-52715 of 2025

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

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CRM-M-52715 of 2025
Date of Decision: 29.09.2025

Rajiv Kumar @ Sonu Kantor

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Salil Dev Singh Bali, Advocate and
Mr. Jaiveer Bali, Advocate
for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

Mr. Saurav Bhatia, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

CRM-39635-2025

This is an application for placing on record copy of photographs of the victim and copy of DDR No.39 dated 18.06.2025 as Annexures R-1 and R-2 respectively.

Application is allowed, as prayed for.

Main Case

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.207 dated 16.06.2025 registered under Sections 109, 190, 191 and 125 of the Bharatiya Nyaya Sanhita, 2023 and Sections 25/27 of the Arms Act, at



Police Station City Ferozepur, District Ferozepur.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused, being member of the unlawful assembly, attacked the complainant, with an intention to kill him and also pelted stones towards the complainant.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argued that as per the FIR, the complainant-Ansh @ Badal has categorically stated the name of the persons present and specific attribution has been made to Dev Kantore of having fired at the complainant. He further argued that as per the FIR, the complainant has nowhere stated that some unknown/unidentified persons were accompanying the other accused. He further argued that the present petitioner has been falsely implicated in the supplementary statement of the complainant on 11.08.2025 i.e. after about two months of registration of the FIR. He argued that if the contents of the FIR are taken to be true, even then no specific role has been attributed to the present petitioner. No recovery is to be effected from the petitioner. Moreover, the petitioner has clean antecedents as he is not involved in any other case. He further argued that in fact, some days prior to the alleged occurrence, a fight took place between the complainant and the other accused persons but the matter was compromised by the respectables of the society and due to this grudge, co-accused persons had caused injuries to the complainant. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.



4. After registration of the FIR, investigation has been initiated and is 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, Ferozepur, vide order dated 13.08.2025.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, 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 along with co-accused not only pelted stones but also caused injuries to the complainant. The petitioner was present at the spot along with other co-accused and he was involved in the occurrence, which has been caused by the unlawful assembly with a common object of committing murder of the complainant. Hence, he prays for dismissal of the petition.

6. Learned counsel for the complainant, while opposing the petition for anticipatory bail, has contended that the petitioner has played an active role in the crime and was the one who raised lalkara and on his instigation, Dev @ Sonu fired shots at the complainant and thus, does not deserve the concession of bail.

7. Heard.

8. In the present case, the petitioner has been named in the supplementary statement of the complainant. As per the status report, there are specific allegations against the present petitioner that he raised lalkara that a lesson be taught to Badal. Then Dev Kantore with an intention to kill



the complainant fired towards the complainant from his revolver and the bullet hit the ribs of the complainant. Subsequently, another shot was fired which hit on the left wrist of the complainant. The petitioner is also alleged to be part of the unlawful assembly which pelted bricks and stones. There are also allegations against the present petitioner that he had threatened the complainant through instagram also. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

9. 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



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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."

10. 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 hereby dismissed.

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

(RUPINDERJIT CHAHAL)
JUDGE

29.09.2025
D.Bansal

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