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

CRM-M-52867-2025

Date of Decision: 19.09.2025

ANIL VERMA

... PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Varun Sharma, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

The instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS, 2023') seeking grant of anticipatory bail in FIR No.146 dated 28.08.2025 under Sections 304 and 3(5) of BNS, 2023 registered at Police Station Cantt, Police Commissionerate Jalandhar.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR. The allegation against the petitioner is that he received the snatched chain from the co-accused. He is ready and willing to join the investigation and ready to handover the CCTV footage of his shop.

3. On the other hand, learned State counsel, appearing on advance notice, opposed the grant of bail to the petitioner and contended that the



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petitioner is a habitual offender to deal with the stolen articles and earlier also three other cases of similar nature in different districts have been registered against him. Therefore, he is required for custodial interrogation.

4. Heard.

5. Keeping in view the facts of the present case that co-accused named the petitioner regarding receiving of stolen property from them; antecedents of the petitioner are also not clean and he is involved in three other cases of similar nature in different districts; the petitioner is required for custodial interrogation. 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 if 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 insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a 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 is not inclined to entertain this petition and the same stands dismissed.
7. Nothing observed hereinabove shall be construed as an expression of opinion by this Court on merits of the case.

19.09.2025

Sima

(SUBHAS MEHLA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No