



CRM-M-53120 of 2025

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

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CRM-M-53120 of 2025
Date of Decision: 19.09.2025

Shinda Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

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

Mr. Ravinder Singh, 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.54 dated 07.06.2025 registered under Sections 109, 326(g), 324(4), 324(5), 221, 132, 333, 191(3), 190, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Bhindi Saidan, District Amritsar Rural.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused named in the FIR and 120-130 unknown persons pelted stones at the houses. The mob had also set some houses on fire. On receipt of information, the police party reached at the spot and found that both groups were indulging in pelting stones at each other. Some persons were on the roof top while others were on the ground, raising lalkaras to kill each other. When the police party tried to intervene, stones were hurled at them also. One stone hit on the foot of CT Narvinder Singh. Despite repeated warning and shots being fired by the police in the air, the situation could not be brought under



control. Wireless message was sent to senior officers to send some additional force and fire brigade was also called to control the fire which had set in the houses.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has not committed the alleged offence. He further contends that the real facts of the case are that there was a dispute between two groups and the FIR in question was registered on the basis of secret information. He argued that there is not even an iota of evidence to connect the present petitioner with the alleged crime. Moreover, the petitioner has clean antecedents and he is not involved in any other case. He further argued that it is a case of version and cross-version where both the parties have pelted stones at each other and suffered injuries. No specific role has been attributed to the petitioner and no recovery is to be effected from him. 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, Amritsar, vide order dated 29.07.2025.

5. Notice of motion.

6. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. The

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petitioner is specifically named in the FIR. He argued that the petitioner along with co-accused not only pelted stones but also set the houses on fire, thereby, endangering human life and disturbing public order. The mob also attacked the police party resulting in injuries to a police constable. He further argued that in order to control the situation, the police had to fire several shots in the air, additional force had to be called and fire brigade was also called to douse the fire. Hence, he prays for dismissal of the petition.

7. In the present case, the petitioner is specifically named in the FIR and alleged to be part of the unlawful assembly which pelted stones, raised lalkaras to kill, set houses on fire and even attacked the police party. A police official is stated to have sustained injuries. The law and order situation went out of control, requiring police to fire in the air and call for additional force as well as the fire brigade. The nature of the allegations shows that the acts were not only directed against private parties but also against the police force, thereby obstructing them in discharge of official duties. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

8. 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."

9. 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.

10. 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

19.09.2025
D.Bansal

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