



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

CRM-M-55172-2025
Date of decision: 15.10.2025

NEERAJ KUMAR @ NEERAJ

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Naveen Bawa, Advocate for the petitioner.
 Mr. Subhash Godara, Addl. A.G. Punjab.
 Mr. Gurmehar Singh Minhas, Advocate for the complainant.

SUBHAS MEHLA, J. (ORAL)

1. Present petition is filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.0020 dated 24.03.2024 under Sections 307, 323, 324, 148, 149 of Indian Penal Code, 1860 (Section 326 of IPC added later on) registered at Police Station Bhargo Camp., District Jalandhar.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the instant case and has no connection with the alleged crime; the petitioner was not present at the spot as CCTV footage of occurrence is also available on record; co-accused, namely, Saurav has already been granted the concession of anticipatory bail by this Court vide order dated 20.11.2024 passed in **CRM-M No.57821 of 2024** (Annexure P-4); the petitioner is not involved in any other case except the present one and the petitioner is ready to join the investigation. As such, learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner.

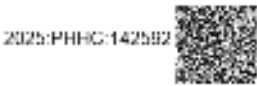


3. Learned State counsel filed status report, which is taken on record and opposed the prayer made by the petitioner, it is submitted that petitioner has actively participated in the commission of offence and gave *dattar* blow on the head of one Mintu and caused injuries to other persons also as mentioned in para 4 of the status report; the petitioner is required for custodial interrogation i.e. for the purpose of recovery of weapon of offence and he is also involved in one more case of similar nature.

5. Heard.

6. Keeping in view the allegations levelled against the petitioner and the fact that he has actively participated in the crime; the injuries attributed to the petitioner; he is specifically named in the FIR and was stated to be armed with *dattar*, therefore, he is required for custodial interrogation i.e. for recovery of weapon of offence. As such, petitioner is not entitled for discretionary relief of anticipatory bail. It is held by the Hon'ble Supreme Court in case titled as '***CBI 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 ensconced 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 disinterring many useful informations 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 conditions 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 would not conduct themselves as offenders.”

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

October 15, 2025
manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No