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

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Date of Decision: 17.11.2025

Robin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sanjeev Majra, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Ms. Vaishali Kamboj, Advocate
for the complainant.

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.266 dated 28.05.2025 registered under Sections 191(3), 190, 115(2), 118(1), 117(2), 118(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Kurukshetra University, District Kurukshetra.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused assaulted the complainant and caused injuries to him, due to some old enmity with his friend Gurnam.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argues that the



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complainant himself was under the influence of liquor at the time of the alleged incident. He further argued that the falsity of the version of the complainant is evident from his own conduct who claimed to have sustained serious and grievous injuries but went to the hospital on his own. It has also been contended that had the complainant suffered such grave injuries, then he would not have been able to walk to the hospital without anyone's assistance. He further argues that the complainant might have sustained injuries on his own and later alleged the use of a *gandasi* to make the offence graver. Moreover, the petitioner has clean antecedents as he is not involved in any other case. 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. 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, Kurukshetra, vide order dated 11.09.2025.

5. On the other hand, learned State counsel, has already filed the status report in the matter and while referring to the same, has opposed the prayer for grant of anticipatory bail on the ground that there are specific allegations levelled against the petitioner which are serious in nature. She argued that the petitioner has been specifically named in the FIR. She further argues that the petitioner, who was armed with a *gandasi*, assaulted the complainant on his left leg. She further argues that the petitioner is clearly visible in the CCTV footage, which itself shows his involvement at the place of occurrence and he along with co-accused caused grievous injuries to the

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complainant with deadly weapon. She further submits that the petitioner has since been absconding during entire investigation and thus, look out circular has been issued against him. She further submits that the custodial interrogation of the petitioner is required for ascertaining precise role of petitioner and modus operandi. Further, the weapon of offence is yet to be recovered. Hence, he prays for dismissal of the petition.

6. Learned counsel for the complainant, while opposing the petition for anticipatory bail, contends that the petitioner has played an active role in the crime and is the main assailant and, thus, does not deserve the concession of bail.

7. Heard.

8. In the present case, the petitioner is specifically named in the FIR and the allegations against him are serious in nature. He is alleged to have inflicted injuries upon the injured-complainant with gandasi and the same was declared grievous in nature. The weapon of offence is yet to be recovered. The petitioner is found to be a member of unlawful assembly, who along with other co-accused, caused grievous injuries to the complainant with deadly weapon. This Court is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.



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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 wider impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of the 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."

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Thus, the present petition being



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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.

17.11.2025

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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