



CRM-M-63653-2025

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

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**CRM-M-63653-2025
Decided on : 09.12.2025**

Vikas Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Rishi Pal Chaudhary, Advocate
for the petitioner.

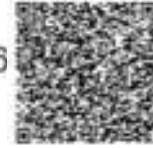
Mr. Amit Shukla, DAG, Punjab
for the respondent-State.

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.102 dated 23.06.2025, registered under Sections 310(2), 61(2), 111, 317(2) of the BNS, 2023 and Section 25 (Act No.54) of the Arms Act, 1954, at Police Station Sirhind, District Fatehgarh Sahib.

2. Brief facts, as per the prosecution case, are that the petitioner alongwith co-accused looted an amount of Rs.15,00,000/- from complainant Yuvraj Aggarwal (who was with one Sumit Arora at that time), at gunpoint and also threatened to kill them. Hence the present FIR.

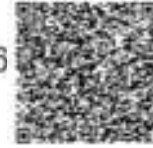
3. Learned counsel for the petitioner contends that the petitioner has



been falsely implicated in the present case. He further contends that the petitioner is innocent and he has not committed any offence. He contends that the petitioner is not named in the FIR and he has no concern with the said offence. He further contends that the petitioner was neither present at the spot nor played any role in snatching money from the complainant. Learned counsel contends that there is nothing on record to connect the petitioner with the said offence. He further contends that co-accused Manjit Singh, Beant Singh, Jaswinder Kumar @ Jassa and Dharambir Bangar have already been granted the concession of regular bail by learned Additional Sessions Judge, Fatehgarh Sahib vide orders dated 15.07.2025, 25.07.2025 and 16.10.2025 respectively. No recovery is to be effected from the petitioner. 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. He prays that the present petition be allowed.

4. On the other hand, learned State counsel has filed the status report in the matter, and he, while referring to the same, has opposed the prayer for grant of anticipatory bail, by submitting that the allegations levelled against the petitioner are serious in nature. He contends that the petitioner has actively participated in the crime and does not deserve any concession from this Court. He further contends that the petitioner has been constantly named in the disclosure statement of co-accused and is required for custodial interrogation as recovery of looted amount is yet to be effected from him. He further submits that the petitioner is also involved in one other case of similar nature meaning thereby he is a habitual offender.

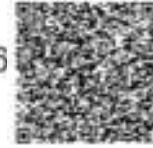
5. Heard.



6. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature; he alongwith co-accused looted the complainant for an amount of Rs.15,00,000/- at gun point and also threatened to kill him. His name finds mention in the disclosure statement of co-accused as active member of the crime and the recovery of looted amount is yet to be effected from the petitioner. The investigation prima facie indicates involvement of petitioner in the crime.

7. 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."

8. 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.

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

09.12.2025
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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

