



CRM-M-66514-2025 (O&M) -1-

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

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**CRM-M-66514-2025
Decided on: 08.12.2025**

KARN SHARMA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sanjeev Kumar Bawa, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 seeking grant of anticipatory bail in case bearing FIR No.149 dated 19.08.2025, under Sections 109, 191(3), 190, 61(2) of BNS registered at Police Station Sadar Kotkapura, District Faridkot.

2. Brief facts of the present case are that present FIR was registered on the basis of statement of complainant namely, Jaspreet Singh on the allegations that on 17.08.2025 at about 09.00 PM, after taking dinner, he came out of his house for a walk. While returning to his house, one white colored Scorpio tried to run over the complainant. He, however, jumped aside and saved himself. Thereafter, three persons alighted from said vehicle, out of whom he was already acquainted with



co-accused namely, Babbu. Babbu attacked the complainant with a sword on his head, in order to kill him and complainant raised his hand in an attempt to save himself, but sword hit on the left wrist, due to which his left wrist was amputated. Ginda attacked the complainant with rod between his back and shoulders and the complainant fell down. As such, people started gathering at the spot and on seeing so, accused fled away from the spot on the said vehicle with their respective weapons. The complainant also saw 02-03 unidentified persons in the dress of 'Nihang Singh' in the said vehicle.

3. Learned counsel for the petitioner contended the petitioner has not been named in the FIR and no role has been attributed to him. It is further contended that the petitioner was in Chandigarh on the day of alleged occurrence.

4. In compliance of order dated 28.11.2025, reply by way of affidavit of Deputy Superintendent of Police, Sub Division Kotkapura, District Faridkot on behalf of respondent-State has been filed in Court today and the same is taken on record. Learned State counsel further contended that on 07.09.2025, a supplementary statement of the complainant was recorded wherein he clarified full identities of the accused and further named the co-accused including the present petitioner- Karn Sharma who had come separately in a Cruze car. It is also contended that other co-accused in the present case are yet to be arrested.



5. Heard.

6. Keeping in view the facts of the present case and as per case of prosecution, the petitioner is a member of unlawful assembly with a common object to cause injury(s) to the complainant and in the present case, left wrist of the complainant has been amputated due to sword blow and the petitioner was with them; the other co-accused are yet to be arrested at this stage; as such the allegations against the present petitioner are serious in nature since he was part of unlawful assembly which has caused injuries to the complainant, resulting in amputation of left wrist of the complainant; custodial interrogation of the petitioner is required to unearth the true facts of the case and for proper investigation. In case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806**' decided on 03.08.1997, it has been held as under:-

"....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 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



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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 above, the present petitioner is not entitled for discretionary relief as prayed for and the present petition is hereby dismissed.

8. Nothing observed herein shall be construed as an expression of opinion by this Court lest it may prejudice the trial.

(SUBHAS MEHLA)
JUDGE

08.12.2025
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO