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

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CRM-M-68148 of 2025
Date of Decision: 19.12.2025

Mithil

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Lajpat Rai Sharma, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

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.322 dated 01.11.2025 registered under Sections 121(1), 132, 221, 293, 126(2) and 263(a) of the Bharatiya Nyaya Sanhita, 2023, at Police Station City Sonipat, District Sonipat.
2. Brief facts of the present case are that the petitioner escaped from the lawful police custody with the active assistance of co-accused Sushma, when he was being taken to police station from the Court in complaint No.1064-5D dated 30.10.2025. While running away, he also manhandled female police officials. Hence, the present FIR.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argued that the present

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FIR is an abuse of process of law as bare reading of the FIR reveals that the story put-forth by the prosecution is filmy and contains no truth. He further argued that the true facts of the present case are that the police officials themselves stated to the petitioner to come again to the police station on the next morning, but lodged this false FIR under pressure of the other party. 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.

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, Sonipat, vide order dated 24.11.2025.

5. On the other hand, learned State counsel while relying upon the status report, has opposed the prayer for grant of anticipatory bail, by submitting that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner along with co-accused assaulted the police, torn their uniforms, and escaped from police custody. He further argued that the petitioner has obstructed and attacked the police while performing their duties and has affected the public order and administration of justice. Hence, he prays for dismissal of the petition.

6. Heard.

7. In the present case, the allegations against the petitioner are serious in nature. As per the prosecution, the petitioner along with co-accused manhandled the police officials, tore their uniform and fled from the



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police custody. This Court while considering anticipatory bail 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.

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



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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

19.12.2025
D.Bansal

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