



CRM-M-73338-2025

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

CRM-M-73338-2025

Decided on: 24.12.2025

Tanish Jassi

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Nitin Sachdeva, Advocate, for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.100 dated 12.11.2025, registered under Sections 304 and 3(5) BNS, 2023 (Sections 317(2) & 238 of BNS, 2023 added lateron), at Police Station Division No.4, District Commissionerate, Ludhiana.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of the complainant, namely, Lucky Kumar. It was alleged that he works as a helper in SK Duppata Works. On 12.11.2025, at about 03:45 a.m., he alongwith Happy Kumar was going on motorcycle from New Kundanpuri to Chauni Mohalla for giving Dupatta to packing persons, then five persons came in a verna car and snatched their motorcycle and two of the persons took their motorcycle and went towards Krishna Sweets. It was alleged that they enquired about the persons who snatched their motorcycle and found their names to be Vansh Kapoor, Tanish Jassi (petitioner), Inderjeet Singh, and Harpreet Singh. Thus, request was made to take legal action against accused persons. On the registration



of the FIR, the investigation commenced. Apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of anticipatory bail, however, after hearing both the side, learned Court declined the same, vide order dated 17.12.2025. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of anticipatory bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that there is delay of 18 hours in registration of the FIR. He has submitted that the story put forth by the complainant that he was going to deliver dupatta at 03:45 a.m. is not at all believable. He further submits that the petitioner has not criminal antecedents, as he has never been involved in any other case. He has also submitted that co-accused of the petitioner have been granted regular bail. He, thus, submits that in these circumstances, false implication of the petitioner is writ large and he deserves to be granted anticipatory bail.

4. Per contra, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. She submits that the allegations levelled against the petitioner, are serious in nature. During the investigation, complicity of the petitioner has been duly established and the motorcycle has also been recovered from the co-accused. She, thus, submits that the petitioner does not deserves to be granted anticipatory bail.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the FIR was registered on the statement of

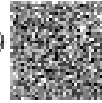


complainant Lucky Kumar. The case in hand pertains to snatching of motorcycle from a helper in early morning of 22.11.2025 at about 03:45 a.m. As per the case of the prosecution, the petitioner was very much present at the time of occurrence. The allegations regarding the present petitioner are grave and serious in nature. The contention raised by counsel for the petitioner, is a subject matter of trial, which would be adjudicated only after appreciation of the evidence to be led by both the parties. Cases of snatching are rising and are threat to general public.

6. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

482“Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*



(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."

7. Hon'ble Supreme Court in **State represented by CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

"6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under [Section 438](#) if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disintering many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he 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 task of disintering offences would not conduct themselves as offenders."

8. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an

extraordinary discretion which should be exercised in the extraordinary circumstances.

9. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

10. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in his favour. Resultantly, the petition being devoid of any merit is hereby dismissed.

11. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

24.12.2025

sharmila

Whether Speaking/Reasoned

Whether Reportable

(RAJESH BHARDWAJ)

JUDGE

: Yes/No

: Yes/No