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

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CRM-M-6715 of 2026
Date of Decision: 17.02.2026

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sumeet Puri, Advocate (through VC)
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

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.76 dated 05.07.2025 registered under Sections 331(3) and 305 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Chhajli, District Sangrur.

2. Brief facts as per the prosecution case are that the petitioner along with co-accused, had committed theft in the house of the complainant. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further submitted that the petitioner was neither present at the spot, nor was named in the FIR and he has no concern with the said incident. He argued that the alleged occurrence took place on 04.07.2025 but the FIR in question was registered on 05.07.2025 i.e. after a delay of 01 day, casting serious doubt on the prosecution story. It has also been contended that during investigation,

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co-accused Janni Singh was arrested and the petitioner has been nominated as an accused only on the basis of the disclosure statement made by the said co-accused Janni Singh. No recovery is to be effected from the petitioner. 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. 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, Sangrur, vide order dated 02.01.2026.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, he has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner was specifically named in the disclosure statement of co-accused Janni Singh and as per his disclosure statement, he sold some gold articles to one Tarunjit Singh @ Vicky for an amount of Rs.58,000/- and gave the said amount to the petitioner. He further argued that co-accused Jaani Singh also gave 3 pair of gold ear-rings and one gold chain to the petitioner and as such, he has actively participated in the crime. He has further submitted that the petitioner is also involved in one more case meaning thereby he is a habitual offender. He further submits that the custodial interrogation of the petitioner is required for fair and proper investigation in

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the matter, to recover the said gold articles and the cash amount of Rs.58,000/- allegedly given to him by co-accused Jaani Singh. 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 he was specifically named in the disclosure statement of co-accused Janni Singh and as per his disclosure statement, he stole the gold articles from the house of the complainant and gave 3 pair of gold ear-rings and one gold chain to the petitioner along with sale proceeds of some gold. Hence, the petitioner has actively participated in the crime. The stolen gold articles of the complainant and an amount of Rs.58,000/- are yet to be recovered from the petitioner. This Court is sanguine of the fact that while considering the petition for anticipatory bail, it 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 wider



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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."

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

17.02.2026

D.Bansal

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