



CRM-M-6878 of 2026

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

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CRM-M-6878 of 2026
Date of Decision: 18.02.2026

Dhirender Yadav @ Bheem

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Nafeesh Ahmed, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

Mr. Sandeep Kumar, Advocate (through VC)
for the complainant.

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.09 dated 20.01.2026, registered under Sections 110, 190, 191(3), 126 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Chhainsa, District Faridabad.

2. Brief facts of the present case are that petitioner along with co-accused gave merciless beatings to the complainant and his friends with deadly weapons, due to some old enmity. 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 petitioner has no

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connection with the alleged offence. He further argued that in fact, it is a case of version and cross-version wherein both the parties have received injuries. He further argued that the complainant party was the aggressor. He argued that the petitioner had lodged an FIR No.08 dated 20.01.2026 against the complainant and the present FIR is the counterblast of the said FIR. He further argued that even if the prosecution story is believed to be true, then also no specific role has been attributed to the petitioner. 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, Faridabad, vide order dated 30.01.2026.

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 vehemently 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 was specifically named in the FIR and he was actively involved in the crime. He further argued that the petitioner assaulted the injured who is a minor, with a sariya and snatched country made pistol. He on instructions from the investigating officer submitted that the petitioner is also visible in the CCTV footage holding a sariya and giving beatings to the complainant. He further argued that



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custodial interrogation of the petitioner is required as snatched country made pistol used in the crime is yet to be recovered and also to unearth the *modus operandi*, and to arrest of remaining co-accused. He further argued that the petitioner is involved in two more cases meaning thereby he is an habitual offender. Hence, he prays for dismissal of the petition.

6. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

7. Heard.

8. In the present case, the allegations against the petitioner are serious in nature and he is specifically named in the FIR. He is alleged to be armed with a sariya and assaulted the injured with the same and also snatched his country made pistol and as such, actively participated in the crime. The investigation is at nascent stage and the custodial interrogation of the petitioner is imperative to unearth the *modus operandi*, to effect the recovery of snatched country made pistol used in the crime and to complete the investigation, which so far indicates involvement of the petitioner in the alleged crime. 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.

9. 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."

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10. 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.

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

(RUPINDERJIT CHAHAL)
JUDGE

18.02.2026*D.Bansal*

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