



CRM-M-9719-2026 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-9719-2026
Decided on : 19.03.2026

SUNNY KUMAR @ SUNNY SAGA
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Shakti Mehta, Advocate, for the petitioner.
Mr. Neeraj Madaan, Sr. DAG, Punjab.
Mr. S.S. Sandhu, Advocate, for the complainant.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sunny Kumar @ Sunny Saga, aged about 34 years	0232	25.10.2025	109, 115(2), 191(3), 190 of BNS and section 25 of Arms Act	Sadar Kapurthala	Kapurthala

2. Counsel for the petitioner argues that, for the alleged commission of offences forming part of the same sequence of events, two separate FIRs have been registered—one at Police Station Sadar



Kapurthala and another at Police Station City Kapurthala—and both FIRs contain divergent versions.

In FIR No.232 dated 25.10.2025 (impugned herein), registered at Police Station Sadar Kapurthala, complainant alleged that on 24.10.2025, at about 10:00–11:00 A.M., when he came out of his house, accused persons, namely Ajay Gola, Vijay, Sunny Kumar alias Sunny Saga (present petitioner), Sanam Thapar @ Ghoda, Deepu @ DJ Wala, Pawan Baanwala, and Sonu of Sultanpur Lodhi, attacked him. It is specifically alleged that petitioner-Sunny Kumar alias Sunny Saga, was armed with a pistol and a gunshot fired by him caused injury to the complainant-Rinku, who thereafter underwent medico-legal examination.

In another FIR No.0384 dated 26.12.2025, registered at Police Station City Kapurthala, it is alleged that, in respect of the same incident dated 24.10.2025 (though mistakenly recorded as 24.12.2025 in Annexure P-2), a second application was moved on 26.12.2025, pursuant to which a separate FIR came to be registered. As per the said FIR, when complainant was proceeding to his duty in his I-20 car, bearing registration No. PB-07-BT-9579, the accused persons, namely Ajay @ Gola (armed with a dattar), Vijay Kumar (armed with a dattar), Arshdeep Singh @ Pawan (armed with a dattar), Sunny Kumar alias Sunny Saga (petitioner, stated to be armed with a stick), and Sanam @ Gora (armed with a stick), intercepted and surrounded him. It is further alleged that petitioner raised a *lalkara* to teach the complainant a lesson for acting as an informant.



3. On the basis of these facts, learned counsel for the petitioner submits that petitioner has been unnecessarily harassed by the registration of two separate FIRs arising out of the same set of allegations, *albeit* with inconsistent and improved versions.

It is further argued that even in the first FIR registered at Police Station Sadar Kapurthala, two incidents forming part of the same transaction have already been recorded. Therefore, there was no necessity to register a second FIR, merely on the ground that part of the occurrence allegedly took place within the jurisdiction of another police station. It is contended that subjecting the petitioner to investigation in two separate FIRs, would grant undue leverage to the investigating agency to conduct parallel investigations on the same cause of action.

Further, counsel for the petitioner has placed reliance on the judgment passed by Hon'ble the Apex Court, in the case of ***T.T. Antony vs. State of Kerala, 2001(3) RCR (Criminal) 436***. It is further submitted that petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

4. On the other hand, learned State counsel has filed status report dated 16.03.2026 in Court today, which is taken on record.

5. Learned State counsel, as well as counsel for the complainant, submit that the two occurrences are entirely distinct, involving different accused persons, different victims, different injuries, different places of occurrence, and separate jurisdictions. It is contended that treating the morning and evening incidents as part of a single



continuing offence would defeat the scope of a fair investigation and the established legal procedure.

They further submit that petitioner is attempting to mislead the Court by portraying the incidents as arising from the same cause of action, whereas in fact, the occurrences are separate and cannot be treated as one, at any stage of the investigation. Thus, they jointly pray for dismissal of the present petition.

6. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it, and finds it appropriate to dispose of the present petition, with a direction to the petitioner to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

8. With the directions recorded here above, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.03.2026
Lavisha

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