



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.219

CRM-M-10802-2026
Decided on : 25.03.2026

Karan Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

Mr. Ravinder Singh, 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.0094 dated 14.11.2025, registered under Sections 115(2), 118(1), 351(3), 3(5) of BNS (Section 118(2) of BNS, 2023 added lateron), at Police Station Begowal, District Kapurthala.
2. Brief facts, as per the prosecution case, are that the petitioner alongwith co-accused armed with *datar* and baseball bat caused injuries on the person of complainant and also threatened to kill him. Hence the present FIR.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further

contends that the petitioner has no concern with the said offence and the



allegations levelled against him are false. Learned counsel contends that no specific role as well as injury has been attributed to the petitioner. He further contends that the present FIR is a counterblast of FIR No.125 dated 08.12.2021, registered under Sections 354, 354-D, 506 IPC, against the complainant by the mother of the petitioner. It is further contended that there is nothing on record to connect the petitioner with the alleged offence. No recovery is to be effected from the petitioner, and his custodial interrogation is not required. Learned counsel also submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the Investigating Agency and shall fully cooperate with the investigation. On these grounds, it is prayed that the present petition be allowed.

4. Notice of motion.

5. On asking of the Court, Mr. Ravinder Singh, DAG, Punjab, accepts notice on behalf of respondent-State. He has vehemently opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the allegations levelled against the petitioner are serious in nature, the injuries attributed to him have been declared as grievous in nature and Section 118(2) of BNS, 2023 has been specifically attributed to him. Thus, he does not deserve any concession from this Court.

6. Heard.

7. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature; he alongwith co-accused caused grievous injuries on the person of complainant and Section 118(2) of BNS, 2023 has been specifically attributed to him. The investigation prima facie indicates



involvement of petitioner in the crime and there is requirement of deeper probe. 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 and 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 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.

25.03.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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