



CRM-M-11078 of 2026

-1-

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

329

CRM-M-11078 of 2026
Date of Decision: 11.03.2026

Neelam

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Ritender Rathee, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Nishant Raj, Advocate and
Mr. Vatsal Raj, Advocate
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.48 dated 29.01.2026 registered under Sections 110, 115(2), 126(2), 238, 333, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (Sections 109 and 117(2) of the BNS added later on), at Police Station Sector 29, District Panipat.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused, entered into the house of the complainant and caused injuries to the complainant and her family members with an intention to kill them. Hence, the present FIR.



3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and she has no concern with the said offence. He further submitted that in fact, the dispute in the present case relates to common wall and the parties are related to each other. He further argued that if the contents of the FIR are taken to be true, even then no specific injury has been attributed to the present petitioner and the only allegation against her is that she pulled the hair of the complainant. He further argued that in the video recording, it can be seen that at the time of alleged incident, the petitioner was empty handed and in fact, she is trying to defuse the scuffle by coming in between the fight. He further argued that Section 109 of BNS has been added later on, only to make the offence graver. Moreover, the petitioner has clean antecedents as she is not involved in any other case. 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 her arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Panipat, vide order dated 16.02.2026.

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, she has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. She

**CRM-M-11078 of 2026****-3-**

argued that the petitioner has been specifically named in the FIR. She further argued that the petitioner inflicted injuries on the complainant with a bamboo stick and also caused injuries to victim-Priya by hitting her hand with wooden stick due to which she suffered a fracture in her hand. She further submitted that Section 117(2) of BNS has been specifically attributed to the petitioner. The video evidence produced by victim Priya also prima facie depicts the participation of the petitioner in the crime. She further submits that the custodial interrogation of the petitioner is required for fair and proper investigation in the matter, to recover the weapon of offence and for confronting her with the video evidence and other material collected during investigation. Hence, she 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 petitioner is specifically named in FIR and the allegations against her are serious in nature. There are specific allegations against her that she along with other co-accused had inflicted injuries to the complainant, her husband and her daughter-Priya. As per the status report, the petitioner and co-accused are clearly visible in the video recording and as such, actively participated in the crime. She has been attributed injury at the hand of victim-Priya, which resulted in fracture and as such, Section 117(2) of BNS has been specifically attributed to the present petitioner. The weapon of offence is yet to be recovered. The



investigation *prima facie* point towards requirement of deeper probe for which custodial interrogation of the petitioner is required. While considering plea for grant of anticipatory bail, this Court 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.

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."

10. 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.

11. 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

11.03.2026
D.Bansal

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