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

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CRM-M-12364 of 2026
Date of Decision: 01.04.2026

Sukhpreet Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

Mr. Deepinder Singh Virk, 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.19 dated 11.02.2026 registered under Sections 103(1), 115, 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (Section 25 of the Arms Act added later on), at Police Station Guhla, District Kaithal.
2. Brief facts of the present case are that due to some old enmity, the petitioner in connivance with other co-accused, armed with weapons including firearms, brutally attacked one Navraj Singh (son of the complainant), due to which, he had died. Hence, the present FIR.

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3. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. He argued that the petitioner was neither named in the FIR, nor has any concern with the said offence and there is no incriminating material on record against the petitioner. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Lovepreet @ Labbi. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question. He further argued that even if the prosecution story is believed to be true, then also no specific injury has been attributed to the present 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, Kaithal, vide order dated 05.03.2026.

5. On the other hand, learned State counsel has already filed the reply in the matter and while referring to the same, he has 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 disclosure statement of co-accused Lovepreet @ Labbi and as per his disclosure statement, the petitioner along with other co-accused hatched criminal conspiracy and actively participated

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in the crime. He further argued that the investigation is at crucial stage and custodial interrogation of the petitioner is required to unearth the *modus operandi* as well as to recover the weapon of offence. 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 was armed with weapon and is principal architect of the entire conspiracy, 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 disclosure statement of co-accused Lovepreet @ Labbi and the petitioner along with other co-accused hatched criminal conspiracy to commit the murder of the deceased and as such, actively participated in the crime. The custodial interrogation of the petitioner is required to unearth the *modus operandi* as well as to recover the weapon of offence 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,



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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

01.04.2026
D.Bansal

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