



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-13292-2026 (O&M)
Date of Decision:- 11.03.2026

Hargunpreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Ankush Singla, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.40 dated 09.06.2025, registered under Sections 109(1), 304, 115(2), 118, 191(3), 190, 329, 62 of BNS; Sections 25, 27 of Arms Act (offence under Sections 109(1), 304 of BNS deleted later on); Section 125 of BNS and subsequently offence under Section 118(2) of BNS added later on, at Police Station Tallewal, District Barnala.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner is, in fact, a victim of the incident, having sustained injuries himself, and there is no allegation that he caused any harm. Learned counsel further contended that co-accused Gulwant Singh has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated

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09.03.2026 in CRM-M-47718-2025. It is further contended that the petitioner is ready and willing to cooperate with the investigation and prayed for the acceptance of the present petition.

3. Notice of motion.

4. Mr. Adesh Pal Singh, learned AAG, Punjab, accepted notice on behalf of the respondent-State. He vehemently opposed the contentions raised by learned counsel for the petitioner and, upon instructions from Inspector Malkeet Singh, submitted that the petitioner has criminal antecedents and is involved in nine other cases involving heinous crimes. It is further submitted that the petitioner had gone to the disputed land with the intention of taking illegal possession from the complainant and was armed with a pistol at that time. Learned State counsel submitted that the petitioner is required for custodial interrogation to collect evidence for the successful prosecution of the case and for the recovery of the pistol used as the weapon of offence. Accordingly, he prayed for dismissal of the petition.

5. Heard.

6. Keeping in view the facts of the present case and the contentions raised by learned counsel for the parties, particularly the role attributed to the petitioner that he was armed with a pistol at the time of the incident, and further taking into account that the petitioner has criminal antecedents and is involved in nine other cases; this Court is of the view that petitioner does not deserve the concession of anticipatory bail, as custodial interrogation of the petitioner is necessary to collect evidence for the successful prosecution of the case and for the recovery of the pistol. Accordingly, this Court finds no merit in the present petition.



7. While granting the relief of anticipatory bail, the Court is required to look beyond the offence in isolation and take into account the surrounding circumstances, including the impact of the crime on society, the likely effect of the grant of anticipatory bail on the societal interest, and the possibility of the accused indulging in similar illegal activities or otherwise impeding a fair investigation or the progress of the trial.

8. Anticipatory bail is an extraordinary relief, to be granted sparingly, only in exceptional cases deserving of the concession. The grant of such relief becomes even more circumscribed in cases involving serious offences as those alleged in the present case, especially where there is a grave apprehension or propensity of the applicant/petitioner to interfere with the course of law and prosecution of the case, either by committing similar offences, or threatening or influencing the witnesses.

9. Recently, Hon'ble Apex Court in ***Srikant Upadhyay v. State of Bihar, 2024 INSC 202***, has made the following observation with regard to concession of Anticipatory Bail:-

“We have already held that the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule..... While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence.”



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10. Moreover, as the investigation is still on-going, custodial interrogation of the present petitioner is necessary for effecting a proper and in-depth investigation in the case. Hon’ble Apex Court in *State Represented by the C.B.I. v. Anil Sharma, 1997(7) SCC 187*, emphasized the importance of custodial interrogation by holding that useful information and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by anticipatory bail, wherein interrogation may be reduced to a mere ritual.

11. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

12. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

11.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No