



CRM-M-12574-2026

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-12574-2026

Mangat Ram @ Manga

...Petitioner

V/s

State of Punjab

...Respondent

Date of decision: 04.05.2026**Date of Uploading : 04.05.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Chandan Singh Rana, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.57 dated 22.02.2025, registered for the offences punishable under Sections 115(2), 118(1), 191(3), 190, 351 of BNS, 2023 and Sections 110, 118(2) of BNS has been added later on) at Police Station Civil Lines, Batala. District Batala.

2. The gravamen of the FIR in question reflects that the FIR has been registered on the statement of complainant namely Hardeep Singh who alleged that on 16.02.2025 at about 06:45 pm, the petitioner alongwith co-accused, who were armed with deadly weapons, assaulted him. It has been further alleged that all the accused i.e. Mangat Ram (petitioner herein), Rahul, Ajay and Inderjit Ram were armed with *datar* and they were also accompanied by three unknown persons. As per the complainant, the



petitioner had exhorted his companions to attack the complainant and had given a blow with the blunt side of *datar* on his head. Accused - Rahul had given a *datar* blow on the left leg of the complainant. Thereafter, petitioner had given a fist blow on the chin of the complainant. When the complainant fell down, accused Ajay gave a blow with blunt side of *datar* on the left elbow of the complainant. Thereafter, all the accused gave kick blows to the complainant. On account of the injuries sustained, the complainant was admitted to EMC Super Speciality Hospital, Batala where medical examination revealed serious injuries including fracture of the right temporal bone and fracture of the left proximal shaft of tibia. On these set of allegations, the FIR in question came to be registered and investigation ensued.

3. Learned counsel for the petitioner has iterated that the petitioner is innocent and has been falsely implicated into the FIR in question due to prior enmity. Learned counsel has further iterated that the allegations leveled in the FIR are exaggerated, concocted and do not reflect the true facts of the occurrence. *Assuming arguendo*, even as per the version put forth in the FIR, the role attributed to the petitioner is limited in nature. According to learned counsel, the allegation that the petitioner has given a blow with the blunt side of a *datar* and a fist blow does not correspond with the serious injuries subsequently reflected in the medical record thereby creating material contradiction between the ocular and medical evidence. Furthermore, there is an unexplained delay of approximately five days in lodging the FIR as the alleged occurrence took place on 16.02.2025 whereas the FIR has been registered on 22.02.2025



further argued that there is no independent or corroborative material to connect the petitioner with the alleged offence. It has been further contended that no recovery is to be effected from the petitioner or at his instance. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the petitioner is ready to join the investigation and hence no useful purpose would be served by sending him behind the bars. On the strength of these submissions, a prayer has been made for grant of anticipatory bail to the petitioner.

4. Referring to the status report by way of affidavit of Sukhinder Singh, PPS, Deputy Superintendent of Police, Sub Division City Batala, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the allegations raised against the petitioner are serious as he is the main accused who played a pivotal and aggressive role in the commission of the offence. The relevant part of the reply reads as under:

“ Role of the Petitioner

7. The role attributed to the petitioner, Mangat Ram @ Manga, is active, direct and instrumental in the commission of the alleged offence. As per the prosecution version, the petitioner was not a mere bystander but a principal assailant who was armed with a datar and led the attack by exhorting his co-accused to assault the complainant, thereby demonstrating clear intention and participation. He initially inflicted a blow with the blunt side of the datar on the head of the complainant, which resulted in a serious injury later opined to be dangerous to life. He further continued the assault by giving a fist blow on the chin of the complainant, showing persistence in the attack. The petitioner acted in concert with co-accused persons, who were also armed with similar weapons, indicating the existence of a premeditated and coordinated assault. The nature of injuries, including a fracture of the temporal bone and tibia, corroborates the



severity of the attack and petitioner's active involvement. Furthermore, the petitioner has joined the investigation and got recovered the weapon of offence at his instance, which lends credence to this involvement. His role, therefore, is not peripheral but central and aggressive."

Raising submissions in tandem with the aforesaid reply, learned State counsel has further iterated that the complainant was attacked in a premeditated manner. According to learned State counsel, the FIR clearly discloses a cognizable offence wherein the complainant has sustained serious grievous injuries which have been declared dangerous to life. Learned State counsel has emphasized that the investigation is at a crucial stage and the custodial interrogation of the petitioner is necessary to unearth the true facts, including the role played by each accused and identification of other unknown persons involved in the occurrence. Considering the gravity of the offence, the manner in which it was committed and the involvement of the petitioner, the dismissal of the instant petition is prayed for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in the case titled as ***Sumitha Pradeep vs. Arun Kumar C.K. and another, 2022(4) RCR (Criminal) 977***, relevant whereof reads as under:

"12. In a case containing such serious allegations, the High Court ought not to have exercised its jurisdiction in granting protection against arrest, as the Investigating Officer deserves freehand to take the investigation to its logical conclusion. It goes without saying that appearance before the Investigating Officer who, has been prevented from subjecting Respondent No.1 to custodial interrogation, can hardly



be fruitful to find out the prima facie substance in the allegations, which are of extreme serious in nature.

xxx	xxx	xxx	xxx
xxx	xxx	xxx	xxx

“15. Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

16. We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline anticipatory bail. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

7. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. The allegations in the present case disclose a grave and heinous offence wherein the petitioner is alleged to be an active participant in the occurrence forming

part of an unlawful assembly. As per the FIR, the petitioner alongwith co-



accused, armed with deadly weapon i.e. *datar*, waylaid the complainant and subjected him to assault. The role attributed to the petitioner reflects that he not only exhorted the co-accused to attack but also himself inflicted a blow on the head of the complainant which, as per medical record, resulted in an injury declared dangerous to life. The subsequent conduct of continuing the assault by giving a fist blow on the chin of the complainant by the petitioner demonstrates persistence and intention. The medical evidence on record corroborates and *prima facie* establishes that the complainant suffered grievous injuries including a fracture of the temporal bone and tibia which is declared grievous in nature and lends support to the prosecution version. The nature of injuries, including fracture of the temporal bone and tibia, cannot be termed as simple or self inflicted. The plea that the injuries attributed to the petitioner are simple in nature is not borne out from the record at this stage and does not dilute the seriousness of the allegations particularly when the occurrence involves a group assault. The manner in which the alleged assault was carried out using deadly weapons demonstrates the violent and aggressive conduct of the assailants. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. It goes without saying that in the instant case, the complainant has categorically stated that the petitioner along with co-accused and as part of an unlawful assembly, acted in furtherance of their common object inflicted grievous injuries to the complainant including a fracture of the temporal bone and tibia. The contention of the petitioner regarding delay in registration of the FIR stands reasonable explained in view of the fact that



the complainant was immediately hospitalized and must remained admitted for some days on account of the injuries sustained.

8. Furthermore, the plea of false implication is a disputed question of fact which cannot be adjudicated upon while considering a petition for grant of anticipatory bail. It is well settled that while exercising jurisdiction under Section 482 BNS, the Court must consider the nature and gravity of the accusation, the role attributed to the accused, the likelihood of fleeing from justice and the possibility of tampering with evidence of influencing witnesses. The scope of consideration of evidence/material at the stage of anticipatory bail is limited and the Court cannot go into the detailed appreciation of evidence or determine its admissibility, which is a matter to be decided during the course of trial. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The plea of false implication on account of previous enmity is vague and unsubstantiated. No material has been placed on record to show existence of any such enmity or motive for false implication. Bald assertions without supporting evidence cannot be made the basis for grant of anticipatory bail. The material which has come on record, including the medical evidence and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***], the Supreme Court held as under : (SCC p. 189, para 6)

“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 informations 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. Considering the nature and gravity of the allegations, the manner in which the offence is stated to have been committed and the requirement of the custodial interrogation for effective investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

10. In view of the prevenient ratiocination, it is ordained thus:

- (i) The instant petition is devoid of merits and is hereby dismissed.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 04, 2026
Ajay

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