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2026:PHHC:049986



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

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Karamveer @ Karambir

....Petitioner

versus

State of Haryana

....Respondent

Date of Decision: April 01, 2026**Date of Uploading: April 01, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present:- Mr. Tajinder Pal Singh Makkar, Advocate for the petitioner
(**presence marked through video-conferencing**).

Ms. Mahima Yashpal Singla, Senior DAG Haryana.

Mr. Sankalp Gehlawat, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (Section 438 of Cr. P.C.) seeking grant of anticipatory bail to the petitioner, in case bearing FIR No.35 dated 28.01.2026, registered for the offences punishable under Sections 333, 331(8), 3(5), 117(2), 115(2) of the BNS, 2023 (corresponding Sections 452, 460, 34, 325, 323 of IPC), at Police Station City Narnaul, District Mahendergarh.

2. The gravamen of the FIR in question is that the complainant, namely, Satish Kumar, stated that on 28.01.2026, he was proceeding from his house towards his plot. Upon reaching the said plot, he found his neighbor – Karambir (*petitioner herein*), present there along with other persons, all of whom were armed with axes, *lathis*, and *dandas*. It is alleged that they collectively assaulted the complainant in a brutal manner.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further iterated that there are material contradictions between the ocular version and medical evidence, as the complainant allegedly sustained five injuries, which, as per medical evidence, are blunt in nature and were on non-vital part of the body of the complainant. Learned counsel has argued that the petitioner was not named in the FIR and no specific role has been attributed to him.

3.1. Learned counsel has asserted that the police have not conducted a fair and impartial investigation and the inquiry conducted so far is not only incomplete, but also tainted with bias. Learned counsel has further asserted that nothing is to be recovered from the petitioner. 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. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

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4. Learned State counsel has filed reply by way of an affidavit dated 23.03.2026, in the Court, which is taken on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. Learned State counsel has iterated that there are specific and direct allegations against the petitioner. The relevant of the said reply reads as under:

“11. That the complainant/injured Satish has levelled specific allegations against the petitioner in the present case and the FIR was registered against him by name. As per version of the complainant/injured, on 28.01.2026, complainant was proceeding towards his plot when, upon reaching there his neighbor Karamveer i.e. the petitioner alongwith another person reached there armed with axe and wooden danda in their hands, they beat him badly and collectively assaulted him and caused multiple injuries and as per opinion of the concerned doctor injury no.1 to 4 are grievous and injury no.5 is simple in nature and all the injuries are collectively dangerous to life.”

On these submissions, dismissal of the present petition is entreated for.

4.1. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that there are serious allegations against the petitioner. Learned counsel has argued that the petitioner along with his co-accused has given serious injuries to the injured. Learned counsel has further argued that, in case, the petitioner is granted concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice as also interfere/ intimidate the prosecution evidence/ witnesses. Thus, dismissal of the petition in hand 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. As per the case put forth in the FIR in question, the allegations against the petitioner are grave, serious and involve offences of a heinous nature. As per the prosecution case and upon perusal of the reply filed by the State, it is borne out that the petitioner along with co-accused, unlawfully entered the plot of the complainant/injured – Satish Kumar while armed with an axe and a wooden *danda*, and jointly assaulted him, causing multiple injuries. As per the medical opinion of the concerned doctor, injuries No.1 to 4 have been declared grievous, whereas injury No.5 is simple in nature; however, all the injuries, taken collectively as recorded in the medico-legal report, are opined to be dangerous to life.

7.1. No cause *nay* 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.

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 is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The

material which has come on record 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. In view of the seriousness of the allegations, the role attributed to the petitioner, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Moreover, considering the gravity of the offence and the manner in which the petitioner along with his co-accused caused injuries to the injured after unlawfully entering into the plot of the complainant/injured, there is a strong likelihood that if granted the extraordinary relief of anticipatory bail, the petitioner may influence or intimidate the prosecution witnesses. Granting bail, at this stage, would not only undermine the administration of justice, but may also embolden the accused and pose a threat to the safety and well-being of the victim and other witnesses. The custodial interrogation of the petitioner is necessary for

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an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

April 01, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No