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

**CRM-M-15069-2026 (O&M)
Date of decision: 26.05.2026**

Karambir @ Karmbir

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sumit Chahal, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

Mr. Jatin Bansal Kotshamir, Advocate and
Mr. Pankaj Bains, Advocate
for the complainant.

SUBHAS MEHLA, J. (ORAL)

1. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS'), the petitioner is seeking anticipatory bail in the case bearing FIR No.775 dated 29.10.2025 under Sections 351(3), 191(3), 191(2), 126 and 115 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 117(2), 119 of BNS added later on and Section 109 of BNS added to head note and prayer clause vide order dated 06.05.2026), registered at Police Station Hansi City, District Hisar (now District Hansi).



2. The allegations qua the petitioner are that he along with other accused, while armed with sticks and axes, attacked the complainant party.

3. Learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner on the grounds that he has been falsely implicated in the present case being family member of co-accused, against whom there are specific allegations. The injury, attracting the offence punishable under Section 109 of BNS, sustained by the complainant was caused by co-accused and the same is not attributed to the petitioner. It is submitted that the petitioner has clean and clear antecedents and is ready and willing to join the investigation as and when required by the investigating agency.

4. Mr. Jatin Bansal Kotshamir, Advocate and Mr. Pankaj Bains, Advocate, have put in appearance on behalf of the complainant and filed Memorandum of Appearance and the same is taken on record and opposed the present petition by contending that the petitioner along with co-accused actively participated in the commission of offence and attacked the complainant party in a pre-meditated manner. Injuries were inflicted upon complainant party on the vital parts of the body with deadly weapons and such injuries are dangerous to life. The petitioner is also liable for the overt act of the co-accused, as all accused including the petitioner acted in furtherance of common intention.

5. Learned State counsel submitted that the petitioner has been specifically named in the FIR and he has been attributed a specific role. Even the co-accused have named the petitioner in their disclosure statements. There are serious allegations qua the petitioner as grievous injuries were caused to the



complainant party with deadly weapons. It is further submitted that as per medical opinion, injury No.1 caused to Sunil (on head) was caused with a sharp weapon and has been declared dangerous to life. Hence, prayed for dismissal of present petition.

6. Heard.

7. Keeping in view the facts and circumstances of the present case, this Court finds no merit in the present petition for grant of concession of anticipatory bail to the petitioner on the following grounds: -

- (a) Present petitioner along with co-accused attacked the complainant party and caused injuries with deadly weapons. During the occurrence, one Sunil sustained head injury allegedly inflicted with a sharp edged weapon i.e. axe, which was stated to be dangerous to life and required surgical interventions;
- (b) The petitioner has been specifically named in the FIR, as one of the members of the unlawful assembly.
- (c) Custodial interrogation of the petitioner is required to conduct proper investigation.

8. Anticipatory bail is an extraordinary relief, to be granted sparingly, only in exceptional cases deserving of the concession. In the considered opinion of this Court, accordingly, release of the petitioner is in the present case is not warranted considering the peculiar facts of the case.

9. Recently, Hon'ble Apex Court in ***Srikant Upadhyay Vs. 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.”

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. Vs. 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.

10. In view of the above discussion, the present petition is **dismissed**.

12. The pending miscellaneous application(s), if any, also stand(s) disposed of.

26.05.2026
vishnu

[SUBHAS MEHLA]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No