



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

CRM-M-16060-2026

Date of decision: 07.04.2026

MANJINDER SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Jaskirat Singh Dhaliwal, Advocate and
Mr. M.S. Rai, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the petitioners in case bearing FIR No.22 dated 17.02.2026 registered under Sections 137(2), 299, 304, 333, 115(2), 190 and 191(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Ghall Khurd, District Ferozepur.

2. Briefly stated, on 13.02.2026, petitioner-Harmander Singh @ Harmander Singh armed with an iron rod and petitioner-Manjinder Singh unarmed along with other co-accused came to the house of the complainant and forcibly took away the son of his servant Vijender by giving beatings to the complainant, his wife and grandson. One of the accused also snatched the Gold chain from the complainant's grandson during the alleged occurrence. Hence, the FIR was registered.

3. Learned counsel for the petitioner contended that the petitioners have been falsely involved in the present case; petitioner-Manjinder Singh was unarmed and no injury has been attributed to him; as per the MLR of the



complainant, all the injuries are blunt in nature; petitioner No.2-Harminder Singh @ Harmander Singh is a young boy aged about 18 years and a student of 12th class; both the petitioners are having clean and clear antecedents and are not involved in any other case, except the present one; nothing is to be recovered from the petitioners and they are ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for relief of anticipatory bail to the petitioners.

4. Learned State counsel opposed the prayer made by the petitioners by submitting that petitioner-Manjinder Singh has been declared innocent during investigation vide GD No.6 dated 07.04.2026; however, petitioner-Harminder Singh @ Harmander Singh has actively participated in the incident as he was armed with iron rod, caused injuries to the complainant and took away the child, namely, Chotu forcibly and illegally; statement of the child has also been recorded before the Magistrate concerned under Section 183 BNSS, wherein he supported the version of prosecution; custodial interrogation of petitioner-Harminder Singh @ Harmander Singh is required for recovery of weapon of offence. As such, learned State counsel prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the contentions of learned counsel for the parties that petitioner-Manjinder Singh has been declared innocent during investigation vide GD No.6 dated 07.04.2026; petitioner-Harminder Singh @ Harmander Singh actively participated in the incident as he was armed with iron rod, caused injuries to the complainant and took away the child, namely, Chotu forcibly and illegally;



statement of the child has also been recorded before the Magistrate concerned under Section 183 BNS, wherein he supported the version of prosecution; custodial interrogation of petitioner-Harminder Singh @ Harmander Singh is required for recovery of weapon of offence, hence, the petitioner-Harminder Singh @ Harmander Singh is not entitled to the relief of anticipatory bail.

7. In view of law laid down by the Hon’ble Supreme Court in case titled as *‘CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806’ decided on 03.08.1997*, wherein the importance of custodial interrogation has been emphasized by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

8. In view of the above, the present petition qua petitioner-Manjinder Singh has become infructuous and this Court finds no ground to grant anticipatory bail to the petitioner-Harminder Singh @ Harmander Singh, considering the manner in which, petitioner along with other accused persons forcibly trespassed into the house of complainant, assaulted the complainant party and kidnapped son of the complainant’s servant. Ergo, the present petition stands dismissed qua him.

9. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

April 07, 2026
manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No