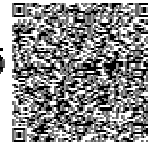


CRM-M-15520-2026 and CRM-M-16117-2026

2026:PHHC:063125



205 (2 cases)

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

1. CRM-M-15520-2026

Neeraj Rana @ Nanu

....Petitioner

versus

State of Punjab

....Respondent

2. CRM-M-16117-2026

Nihal Rajput @ Nihaal

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: April 24, 2026

Date of Uploading: April 24, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. G.S. Ghuman, Advocate for the petitioner
(**presence marked through video-conferencing**). And
Mr. Atul Kumar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

By this common order, the aforesaid two petitions filed under Section 482 of BNSS, 2023 (erstwhile Section 438 Cr. P.C.) seeking grant of anticipatory bail to the petitioners, namely, Neeraj Rana @ Nanu and Nihal Rajput @ Nihaal, in case bearing FIR No.0036 dated 15.02.2026, registered under Sections 304, 115(2), 126(2), 191(3) and 190 of the BNS, 2023, at

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Police Station Daresi, District Ludhiana, are being disposed of together, as they emanate from a common FIR.

2. The gravamen of the FIR in question is that the complainant, namely, Kunal Mehra stated that on 13.02.2026, he and his friend Chetanya were travelling on an Activa to a temple to pay obeisance. He said they first proceeded towards Sunder Nagar, then turned back and proceeded towards Sanjeev Book Store. At that point, his friend – Chetanya advised him not to proceed further as Nihal Rajput (petitioner in CRM-M-16117-2026) and others were present there. He further stated that while they were returning and had reached near SBI Bank, Sunder Nagar, Nihal Rajput along with an unknown person approached them from behind at high speed on another Activa and intentionally collided with their vehicle, causing both of them to fall down. Thereafter, Nihal Rajput and his associates allegedly started assaulting him. It has also been stated that other associates of Nihal Rajput arrived at the spot and attacked him with bats and similar weapons. Upon the complainant raising an alarm, people from the vicinity gathered at the spot upon which the assailants fled from the scene along with their weapons.

3. Learned counsel for the petitioner(s) has argued that the petitioner(s) has been falsely implicated into the FIR in question. Learned counsel has argued that there is unexplained delay of 02 days (48 hours) in registration of the FIR in question as the alleged occurrence had taken place on 13.02.2026, whereas, the FIR in question was registered on 15.02.2026 and, thus, the same cast serious doubt on the prosecution case. Learned counsel has submitted that the petitioner (Neeraj Rana @ Nanu) has been

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roped subsequently without attributing any specific overt act. Learned counsel has submitted that offence under Section 304 of BNS (erstwhile Section 379 of IPC) is not made out as no alleged act of snatching the mobile phone of the complainant has been attributed to the petitioner(s). Learned counsel has argued that the injured suffered seven injuries which have been opined to be simple and blunt in nature. Learned counsel has iterated that no independent witness has been examined since the offence in question is alleged to have been committed in a public place. Learned counsel has submitted that the FIR in question is nothing but an abuse of process of law and is lodged just to pressurize the petitioner(s) to withdraw one FIR No.256 dated 15.10.2025 which he got registered against the complainant as well as his associates.

3.1. Learned counsel asserts 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 asserted that nothing is to be recovered from the petitioner(s). 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(s) are ready to join the investigation and, hence, no useful purpose would be served by sending them behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel, while referring to the status report by way of an affidavit dated 15.04.2026, which is already on record (in CRM-M-15520-2026), has opposed the grant of anticipatory bail to the

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petitioner by arguing that the offence committed by the petitioner(s) is serious in nature. Relevant of the said status report, in respect of the petitioner – Neeraj Rana alias Nanu, reads thus:

“4. That during the investigation, statement of eyewitness Chetanya (complainant’s friend) was recorded who corroborated the entire occurrence. The complainant also produced CCTV Footage of the occurrence in which the petitioner and his co-accused are seen beating the complainant. The car used in the crime was also produced by its owner Rajan Kumar which was taken from him by accused Nihal Rajput being his friend.

5. That the role of the petitioner, evidence against the petitioner, character antecedents of the petitioner, necessity of custodial interrogation as well as status of trial is given below:-

ROLE OF THE PETITIONER:-

The petitioner actively participated in the crime. In the CCTV Footage, the petitioner has no weapon in his hands but is seen barehandedly badly causing beatings to the complainant/injured as mentioned above.

EVIDENCE AGAINST THE PETITIONER:-

- (i) In the FIR, the petitioner is specifically named as accused.*
- (ii) MLR of the complainant.*
- (iii) CCTV Footage of the occurrence showing the petitioner barehandedly beating the complainant.*
- (iv) Statement u/s 180 of BNSS of eyewitness- Chetanya.*

NEED FOR CUSTODIAL INTERROGATION OF THE PETITIONER:-

Considering the gravity of offence and to recover the snatched Mobile phone, custodial interrogation of the petitioner is very much required.

CRIMINAL ANTECEDENTS OF THE PETITIONER:-

The petitioner is a habitual offender and apart from the present FIR (Annexure P-1), the following FIRs have also been registered against the petitioner:-

- (i) FIR No.142 dated 23.06.2021, u/s 452, 323, 324, 506, 148, 149 IPC, P.S. Basti Jodhewal, Ludhiana. (Challan not presented as yet).*
- (ii) FIR No.546 dated 30.12.2022, u/s 25-54-59 of Arms Act and sections 506, 34 of IPC, P.S. Division No.7, Ludhiana. (Challan not presented as yet).*
- (iii) FIR No.22/2021, u/s 323, 341, 506, 148, 149 of IPC, P.S. Basti Jodhewal, Ludhiana. (Trial Pending).”*

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4.1. So far as the petitioner (Nihal Rajput @ Nihaal) is concerned, learned State counsel has submitted that Nihal Rajput along with his co-accused approached the complainant from behind at high speed on another Activa and collided with their vehicle, causing the complainant and his friend to fall down. Nihal Rajput and his associates began assaulting the complainant, and thereafter, other associates of Nihal Rajput arrived on Activa and in a car and attacked him with bats and similar weapons.

4.2. Given the severity of the offence, there exists a substantial likelihood that the petitioner(s) may abscond or tamper with the evidence, if enlarged on bail. Learned State counsel has iterated that the custodial interrogation of the petitioner(s) is imperative for the purpose of effective and fair investigation and to unearth the case of the prosecution. On these submissions, dismissal of the present petition is entreated 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 prosecution case and upon perusal of the material on record, it is borne out that serious and grave allegations have been leveled against the petitioners. It is further borne out that CCTV footage clearly establishes that the accused persons arrived at the spot in a premeditated manner in their respective vehicles and jointly attacked the complainant/injured. All the accused were armed with weapons, which demonstrates prior planning and a common intention to commit the offence. The contention of the petitioners that the present FIR is a counterblast to an earlier FIR, *prima facie*, appears to be wholly untenable, in view of the

factual *milieu* of the case in hand. Moreover, the medical evidence also corroborates the prosecution case, as the MLR of the complainant reveals that he sustained as many as seven injuries, including multiple lacerated wounds, indicating the brutality of the assault. The nature and extent of injuries clearly reflect the violent conduct of the accused persons and the seriousness of the offence.

6.1. The nature of allegations creates a reasonable apprehension that, if granted anticipatory bail, the petitioners may abscond from the process of justice as also influence prosecution witnesses or tamper with evidence.

7. Furthermore, the investigation is still at a crucial stage, and custodial interrogation of the petitioners is considered necessary to unearth the complete facts and to ascertain involvement of any other persons connected with the case. The petitioner(s) are yet to be arrested and grant of anticipatory bail, at this stage, may prejudice the ongoing investigation. The apprehension expressed by the prosecution that the petitioners, if released on bail, may abscond or attempt to influence witnesses also appears to be not without basis. Given the seriousness of the offence, the stage of investigation and possibility of tampering with evidence or obstructing justice, this Court is of the view that the petitioners do not deserve the concession of bail, at this juncture.

8. It is befitting to mention here that while considering plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to

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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. A profitable reference in this regard is being made to the dicta passed by the Hon'ble Supreme Court titled as *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*, the Supreme Court held as under, relevant whereof reads as under:

“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.”

At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioners. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for their accusation. Thus, it is not appropriate to grant anticipatory bail to the petitioners, as it would necessarily cause impediment in effective investigation.

9. Accordingly, this Court is of the considered opinion that the petitioners do not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Moreover, custodial interrogation of the petitioners is necessary for an effective investigation & to unravel the truth. The petitions are, thus, devoid of merits and are hereby **dismissed**.

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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 24, 2026
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No