



106

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

CRM-M-16221-2026

Taranvir Singh @ Tenu

....Petitioner

Versus

State of Punjab

....Respondent

Date of Decision: April 09, 2026**Date of Uploading: April 09, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:** Mr. Ramneek Singh, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (Oral)

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.254 dated 23.12.2025 registered under Sections 118(1), 115(2), 117(2), 351, 3 (5) and 127(1) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 324, 323, 325, 506, 34 and 340 IPC) at Police Station Maqsudan, Jalandhar Rural.

2. The gravamen of the present FIR reflects that the FIR has been registered on the statement of the complainant—Kamal, who alleged that on 13.12.2025 at about 04:40 PM, while he was returning to his village after

filling a gas cylinder, he was stopped near Lalias well by the petitioner along with co-accused namely Gaurav @ Ballu and Ajay Pehalwan. He has further alleged that the said accused persons struck his scooter with their motorcycle, causing him to fall on the ground and thereafter they launched a concerted attack upon him with sharp-edged weapons. The co-accused Gaurav @ Ballu inflicted a blow with a kirpan on the head of the complainant, whereas Ajay Pehalwan gave a blow with a *khanda* on his right leg, resulting in fracture. The present petitioner is specifically attributed the role of inflicting multiple blows with a kirpan on the left arm and right foot of the complainant. Due to this, the complainant sustained multiple injuries and became unconscious. Thereafter, accused persons fled from the spot with their weapons. Upon these set of allegations, the instant FIR came to be registered against the accused persons.

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 further iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner further contends that, after the occurrence in question dated 15.12.2025, the petitioner's brother and his friend were allegedly surrounded by the complainant side and inflicted with grievous injuries. However, despite efforts being made, no FIR has been registered against the complainant side till date, due to their influence. It is argued that there is delay of 10 days in registration of the FIR and that the petitioner is a young man aged 20 years with clean antecedents.

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. 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 aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel while raising arguments in tandem with the reply dated 06.04.2026 has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioners is serious in nature. Relevant part of the said status report reads thus:

“(A) Role of the petitioner:

Petitioner along with co-accused persons intentionally waylaid the complainant and after causing him to fall from his scooter, actively Participated in the assault. Petitioner caused injury on the leg (simple blunt) and injury on the left elbow (simple blunt). Further, he also participated jointly with co-accused in causing injury on the right leg (simple blunt), injury on the left (simple blunt), injury on the fourth finger of the left hand (simple blunt), injury on the right hand (simple sharp), injury on the right hand (simple blunt) and injury on the first finger of the right hand (simple blunt), thereby clearly establishing his active involvement in inflicting repeated blows on different parts of the body of the complainant during the occurrence.

(B) Evidence against the petitioner:

i) Statement of the complainant.

ii) Medical evidence (MLR & injury report): The MLR reflects as many as 12 injuries on the body of the injured, including injuries caused by sharp weapon, which corroborate the version of the complainant regarding the manner of assault.

iii) Medical opinion (grievous injury): As per medical opinion dated 26.12.2025, fracture of proximal phalanx of the little finger of left hand was found and one of the injuries has been declared

grievous in nature (injury no.4 attributed to co-accused Ajay Pehalwan), showing the severity of the assault.”

It is, accordingly, argued that the petitioner is specifically named in the FIR and was a part of the unlawful assembly which caused injuries on the person of the complainant. The petitioner is attributed active participation in the assault with a sharp-edged weapon (Sword), causing injuries on the leg of the complainant. Given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if he enlarged on bail. Learned State counsel has iterated that the custodial interrogation of the petitioner 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 the case put forth in the FIR in question, indubitably, grave and serious allegations have been levelled against the petitioner involving in a brutal attack carried out with deadly weapons, resulting in multiple injuries on the head, right leg, left elbow. The role attributed to the petitioner is specific. The nature of injuries and the manner of assault *prima facie* indicate seriousness of the offence. As per the MLR, the injuries have been declared to be dangerous to life. The argument raised by the learned counsel for the petitioner that there was a delay of 10 days in registration of the FIR, does not merit acceptance, keeping in view the nature of allegations and injuries suffered by the complainant. Further, keeping in view the nature of allegations, the custodial interrogation of the petitioner is necessary, particularly for recovery of weapons and for effective investigation.

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.

7. 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 interests. 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 [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.”

8. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the

petitioner. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

April 09, 2026
Naveen

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