



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

CRM-M-18329-2026
Date of decision: 06.04.2026

MUKHTIYAR SINGH

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Surjeet Singh Chahal, Advocate for the petitioner.
(through video conferencing)

Mr. Karan Veer Singh, Senior DAG, Haryana.

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 petitioner in case bearing FIR No.0190 dated 26.10.2025 registered under Sections 115(2)/118(1)/3(5)/351(2)/109(1)/118(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 109(1) and 118(2) of BNS added later on) at Police Station Sadar Ratia, District Fatehabad.

2. Briefly stated, complainant Kuldeep Singh @ Billa got recorded his statement before the police and stated that the dispute began 20 days prior to the occurrence, when one Charni passed objectionable remarks towards his maternal aunt, due to which, Manak (brother of complainant) slapped him. Thereafter on 25.10.2025, petitioner-Mukhtiyar Singh along with other co-accused attacked the complainant and his brother with sickle, bricks and a binda and caused injuries to them. Petitioner is alleged to have given sickle blow on the head of Manak i.e. brother of the complainant. Hence, the FIR was registered.



3. Learned counsel for the petitioner contended that no injury is declared dangerous to life and no offence under Section 109 of BNS is made out in the present case; other co-accused, namely, Gurmukh Singh and Bittu Singh have already been granted the concession of interim anticipatory bail by a Co-ordinate Bench of this Court vide orders dated 05.02.2026 and 11.02.2026 passed in ***CRM-M Nos.6484 & 7844 of 2026***; the petitioner has clean and clear antecedents and is not involved in any other case, except the present one; nothing is to be recovered from the petitioner and he is ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for relief of anticipatory bail to the petitioner.

4. Learned State counsel opposed the prayer made by the petitioner by submitting that opinion of the doctor has been obtained, as per which the injury attributed to the petitioner is grievous in nature and dangerous to life, therefore, offence under Section 109 of BNS is made out. Moreover, there is a specific categorical allegation against the petitioner that he was armed and gave sickle (*gandasi*) blow on the injured Manak Singh. Furthermore, custodial interrogation of the petitioner is required for recovery of weapon of offence. Moreover, learned Additional Sessions Judge, Fatehabad, vide order dated 10.03.2020, while dismissing the bail application moved by the petitioner, has made a categorical observation that presence of the petitioner is *prima facie* proved from the CCTV footage. As such, learned State counsel prayed for dismissal of the present petition.

5. Mr. Bhagat Singh Ghumman, Advocate has put in appearance on behalf of the complainant. Learned counsel opposed the prayer made by the petitioner and submitted that there is a specific allegation against the petitioner



that he gave a Sickle (*gandasi*) blow on the head of injured namely, Manak, which caused fracture in his skull. As such, learned counsel prayed for dismissal of the present petition.

6. Heard.

7. Keeping in view the facts and circumstances of the case and the contentions of learned counsel for the parties that the injury attributed to the petitioner is grievous in nature and dangerous to life; opinion of the doctor has been obtained, which suggests that offence under Section 109 of BNS is made out. Moreover, there is a specific allegation levelled against the petitioner that he was armed and gave sickle (*gandasi*) blow on the head of injured. Furthermore, custodial interrogation of the petitioner is required for recovery of weapon of offence, hence, the petitioner is not entitled to the relief of anticipatory bail.

8. 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.

9. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

10. 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 06, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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