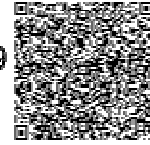


2026:PHHC:061969



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

CRM-M-18828-2026

Vikram Sachdeva alias Bikramjit

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: April 23, 2026

Date of Uploading: April 23, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Nikhil Deora, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

Ms. Amandeep Kaur Brar, Advocate for the complainant
(presence marked through video-conferencing).

SUMEET GOEL, J. (Oral)

Present petition, is the second attempt, filed under Section 438 Cr. P.C. (Section 482 of BNSS, 2023) for grant of anticipatory bail to the petitioner, in case bearing FIR No.22 dated 17.02.2026, registered for the offences punishable under Sections 137(2), 299, 304, 333, 115(2), 190, 191(2) of the BNS, 2023, at Police Station Ghall Khurd, District Ferozepur.

The first petition was dismissed as withdrawn with liberty to file afresh on the same cause of action after giving complete particulars regarding antecedents of the petitioner, vide order dated 30.03.2026.

2. The gravamen of the allegations against the petitioner is that Tek Singh (complainant/injured), stated that one Vijender was employed as

a servant and resided at the complainant's house. Vijender's son, Chottu, aged about 10 years, had been working as a servant with Balwinder Singh. Vijender informed that Chottu was being paid inadequate wages and, as his grandmother was unwell, he intended to send him back to Bihar. Accordingly, on 13.02.2026, Vijender brought Chottu back to the complainant's residence.

On 16.02.2026 at about 9:15 AM, Balwinder Singh (armed with the handle of a spade), Kulwinder Singh (armed with a baseball bat), Harmander Singh (armed with an iron rod), Manjinder Singh (empty-handed), and Vikram Sachdeva (*petitioner herein*), along with two unidentified persons, arrived at the complainant's house in a white Scorpio vehicle bearing number 6066. They forcibly entered the premises and attempted to take away Chottu. When the complainant intervened to stop them, Harmander Singh struck him with an iron rod aimed at his head. In an attempt to defend himself, the complainant raised his left hand, resulting in injuries to his palm and fingers. Thereafter, Kulwinder Singh hit him with a baseball bat on his left elbow, causing him to fall. Balwinder Singh then kicked him, removed his turban, dragged him by his beard, and thereby hurt his religious sentiments. When Paramvir Singh (grandson of the complainant) and Naseeb Kaur (his wife) intervened to rescue him, Balwinder Singh struck Paramvir Singh with the handle of a spade. Kulwinder Singh also hit Naseeb Kaur with a baseball bat on her arm. Subsequently, Manjinder Singh, Vikram Sachdeva (*petitioner herein*), and the unidentified persons manhandled the complainant and his grandson. Vikram Sachdeva (*petitioner herein*) forcibly snatched a gold chain from the

neck of Paramvir Singh. After assaulting them, the accused forcibly took away Chottu, in their Scorpio vehicle.

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. Learned counsel has iterated that the petitioner has not taken Chhotu out of the keeping of lawful guardianship of his natural guardian. Learned counsel has submitted that it is to the utter surprise that Vijender, who is father of Chhotu, has neither made or recorded any statement regarding alleged kidnapping of his son nor has accused the petitioner of any act involving kidnapping. Learned counsel has further submitted that there is no visible or corresponding injury on the neck of grandson of the petitioner, namely, Paramvir Singh with respect to allegation of snatching of gold chain from his neck. It has been argued that nothing incriminating has been recovered from the petitioner and the entire story of the prosecution is based on oral allegations and medical evidence pertaining to injuries allegedly caused by other co-accused. Learned counsel has submitted that the petitioner has been implicated merely on account of his association with the co-accused persons, but, no specific injury or overt act has been attributed to him. Learned counsel has argued that allegations leveled in the FIR do not corroborate with the MLR report and, thus, the same appear to be exaggerated.

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 referring to the short reply by way of an affidavit dated 18.04.2026, which is already on record, has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. Relevant of the said short reply reads thus:

“11. *Role of the petitioner in commission of crime;*

So far as the role of the petitioner is concerned, there are serious allegations levelled that the petitioner being the member of the unlawful assembly in furtherance of common intention with other co-accused, armed with deadly weapons, after committing criminal house trespass, not only caused injuries on the person of complainant and others, also snatched gold chain belonging to grandson of complainant and further forcibly took away Chhotu (son of servant of complainant), who at the time of recording statement under section 183 NSS before Learned Illaqa Magistrate levelled specific allegations regarding his forcible abduction by the applicant/accused and other co-accused. The custodial interrogation of the petitioner is required in this case to know about the names of two unknown persons and to recovery the gold chain. Moreover the past criminal antecedents of the petitioner also indicates that he is habitual criminal.”

4.1. Further, learned State counsel, while raising submissions in tandem with the short reply, has further submitted that during investigation, Chottu (minor son of Vijender) was produced before the learned JMIC, Ferozepur, and he made the following statement:

“Stated that I was working for 1-1/2 years. The money was not given to me. Sikh man came to take me with him, then he pushed me. Then, my father took me with him. The second Sikh man made me sit in the car. He also shown me pistol. They tied me and did not allow me to go home. They took work from me in the fields for whole day”

4.2. Learned State counsel has submitted that given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if 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.

4.3. Learned counsel for the complainant, while raising submissions in tandem with the submissions of learned State counsel, has also vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations leveled against the petitioner are serious and grave in nature. Learned counsel has submitted that the petitioner along with his co-accused has forcibly entered the house of the complainant, caused serious injuries, forcibly snatched gold chain from neck of Paramvir Singh (grandson of the complainant) and took minor (Chhotu son of Vijender) with them. Learned counsel has submitted that, in case, the petitioner is granted the concession of anticipatory bail, there is all likelihood that the petitioner may abscond from the process of justice as also interfere/ intimidate the prosecution witnesses/ evidence. On the strength of these submissions, dismissal of the petition in hand 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 prosecution case and upon perusal of the short reply as well as order passed by the Court below, it is borne out that allegations against the petitioner are grave and serious in nature, involving his active participation with other co-accused. The petitioner, being an active member

of an unlawful assembly and acting in furtherance of the common intention shared with the co-accused, was armed with deadly weapons and participated in the commission of grave and heinous offences. The accused persons, including the petitioner, committed criminal house trespass and launched a premeditated and violent attack upon the complainant and his family members, causing injuries with dangerous weapons. It is further, *prima facie*, borne out that conduct of the petitioner was not only aggressive but also demonstrated a clear disregard for law and order. It is further the case of the prosecution that, during the course of the incident, the petitioner and co-accused committed robbery by forcibly snatching a gold chain belonging to the grandson of the complainant. The incident did not stop at physical assault and robbery; rather, it escalated into a serious offence of abduction, wherein Chhotu (minor son of the complainant's servant, namely, Vijender) was forcibly taken away against his will.

6.1. Considerably, at the time of recording statement of Chhotu, before the concerned JMIC, he categorically levelled specific and direct allegations against the present petitioner and the co-accused regarding his forcible abduction.

7. 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.

8. 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 interest(s). 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, (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.”

9. In view of the seriousness of the allegations and the role attributed to the petitioner, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Granting bail, at this stage, would not only undermine the administration of justice but may also embolden the accused and pose a threat to the safety and well-being of the victim and other witnesses. In view of above, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual matrix of the case in hand. 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.**

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 23, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No