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CRA-S-1206-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRA-S-1206-2026

Date of decision: 14.05.2026

RAMESH KUMAR BEHL AND ANR.

....Appellants

Versus

STATE OF PUNJAB & ANR.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Dinesh Mahajan, Advocate for the appellants.

Mr. Ferry Sofat, Addl. A.G. Punjab and
Mr. Rahul Jindal, AAG Punjab.

Mr. APS Tung, Advocate for the respondent No.2.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. Present appeal is directed against the order dated 02.04.2026 passed by the learned Special Judge, Gurdaspur dismissing the application of the appellants for grant of anticipatory bail in case FIR No.36 dated 20.02.2026 registered under Sections 304(2), 132, 221, 121(1), 351(2), 351(3), of BNS, 2023 (Sections 3(5), 121(2) of the BNS, 2023 and Section 3(1) of the SC/ST Act added lateron) at Police Station City Batala, District Batala.

2. The brief facts of the present case are that the appellants obstructed the ongoing road construction work and also criminally intimidated the complainant and labourers present at the site and also used caste based derogatory remarks against the labourers. It is further alleged



appellant No.2 repeatedly kicked him thus, causing several injuries to him.

Hence the present FIR.

3. Learned counsel for the appellants contended that the appellants have been falsely implicated in the present case. He submits that the appellants had earlier exposed large scale corruption being done in the road construction work being carried out in Batala. He submits that appellant No.1 had already submitted a complaint in this regard before the authorities highlighting the use of inferior material. He submits that the appellant No.1 had moved another complaint and as a consequence the complainant party had attempted to attack appellant No.1 and even threatened him on phone. He further submits that the present FIR has been registered under political pressure and to protect the contractors and officials involved in corruption which was being exposed through the complaints by appellant No.1. Regarding the allegations of using caste based words against the labourers, he submits that nothing has been mentioned in the FIR to show that the appellants had knowledge of the caste of the labourers. Hence, the provisions of SC/ST Act are not made out against the appellants. He further submits that it was the complainant party who had in fact gave beatings to the appellants. With these broad submissions, it is urged that the present appeal deserves to be accepted, the impugned order is liable to be set aside and the appellants deserve to be given benefit of pre-arrest bail.

4. Learned State counsel has filed the status report, which is taken on record. He has vehemently opposed the prayer for bail, stating



specific and active role has been attributed to them. He submits that the appellants reached the spot and obstructed the ongoing government work being executed under the supervision of the complainant. He further submits that they not only created unlawful obstruction but also criminally intimidated the complainant and labourers present at the spot and used caste based derogatory remarks against labourers in order to insult them in the name of their caste. He further submits that the appellants also inflicted several blows upon the complainant and gave as many as 07 injuries to him out of which injury No.4 has been declared grievous in nature. He further argues that the appellants also snatched the government record from the complainant and thus, Section 121(2) of BNS, 2023 was added in the present case. On the strength of above arguments, he prays that the present appeal lacks merit and is liable to be dismissed.

5. Learned counsel appearing for respondent No.2 adopts the submissions made by learned State counsel and has opposed the relief sought by the appellants. He further submits that the appellants have actively participated in the crime and deserve no concession from this Court. He further submits that only vague assertions have been made by the appellants that he was assaulted by the complainant as no complaint has been lodged by him till date in this regard. Hence, he prays that the present appeal be dismissed.

6. After hearing learned counsel for the parties and perusing the record, this Court is not inclined to grant the concession of anticipatory bail to the appellants. The allegations levelled in the FIR disclose specific



work, assaulting the complainant and labourers present at the spot and using caste based derogatory remarks against the labourers belonging to Scheduled Castes. The medical record further reflects that the complainant suffered as many as 07 injuries, out of which injury No.4 has been opined to be grievous in nature. Apart from this, there are also allegations regarding snatching of government record, attracting the provisions of Section 121(2) of the BNS, 2023. The contention raised by learned counsel for the appellants that they have been falsely implicated on account of exposing corruption in the road construction work, at this stage, cannot be accepted so as to grant them the extraordinary relief of pre-arrest bail, particularly when the allegations in the FIR are specific and supported by the medical evidence. Similarly, the argument that the appellants had no knowledge of the caste of the labourers is a matter of trial and cannot be conclusively examined at this preliminary stage particularly in view of the grievous injuries suffered by the complainant at the hands of the appellants.

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 would be apposite to refer herein judgment of Hon'ble Supreme Court in '***State Vs. Anil Sharma***', (1997) 7 SCC 187, wherein it has been held 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 information 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. Considering the nature and gravity of the allegations, the active role attributed to the appellants and the requirement of custodial interrogation do not persuade this Court to exercise discretion in favour of the appellants. No ground is made out for grant of anticipatory bail.
10. Consequently, finding no merit in the present appeal, the same is hereby dismissed. The impugned order calls for no interference.

14.05.2026
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(RUPINDERJIT CHAHAL)
JUDGE

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