



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

Sr.No.219

**CRM-M-19720-2026
Decided on : 24.04.2026**

Gagandeep Singh alias Gaggi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Vikas Gupta, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.11 dated 22.01.2026, registered under Sections 109, 125, 191(3), 190 of BNS, 2023 and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sirhali, District Tarn Taran.

2. Brief facts, as per the prosecution case, are that the petitioner alongwith co-accused armed with pistols, fired shots towards the complainant with an intention to kill him. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the petitioner are false and he has no concern with the said incident. Learned counsel contends that the



said incident occurred on 14.01.2026 but the FIR in question was registered on 22.01.2026 i.e. after an unexplained delay of 08 days, casting a serious doubt on the prosecution story. Even if the allegations are taken to be true, the alleged injuries are only on the non-vital part of the body of complainant. It is further contended that there is nothing on record to connect the petitioner with the alleged offence. No recovery is to be effected from the petitioner and his custodial interrogation is not required. Learned counsel also submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the Investigating Agency and shall fully cooperate with the investigation. On these grounds, it is prayed that the present petition be allowed.

4. Learned State counsel has filed the status report which is taken on record. She has vehemently opposed the prayer for grant of anticipatory bail by submitting that the allegations levelled against the petitioner are serious in nature. She contends that the petitioner armed with firearm fired direct shots towards the complainant with an intention to kill him, which hit on his right arm and elbow. He further contends that one of the injuries caused with blunt weapon, on the person of complainant, is declared grievous in nature and is specifically attributed to the present petitioner. Thus, the petitioner does not deserve any concession from this Court.

5. Heard.

6. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature; he alongwith co-accused fired shots upon the complainant with an intention to kill him and one of the injuries caused with blunt weapon, on the person of complainant, is declared grievous in nature.



The investigation prima facie indicates involvement of the petitioner in the crime and there is requirement of deeper probe. This Court is sanguine of the fact that while considering the petition for anticipatory bail, it is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine and seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

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 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."

8. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

9. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

24.04.2026

mamta

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No