



104

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-20015-2026**

Inderjit Gir and others

...Petitioners

Versus

State of Punjab

...Respondent

Date of Decision: May 01, 2026**Date of Uploading: May 01, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. P.S. Hundal, Senior Advocate with
Ms. Arshpreet Kaur, Advocate for the petitioner(s).

Mr. Adhiraj Singh, AAG, Punjab.

Mr. K.S. Nagra, Advocate for the complainant.

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 petitioners, in case bearing FIR No.14 dated 14.01.2025, registered under Sections 103(2) (deleted later on) of the Bharatiya Nyaya Sanhita, 2023 (subsequently added Sections 103(1), 61(2), 3(5) BNS) and Sections 302, 120-B, 34 IPC, at Police Station Sohana, District SAS Nagar, Mohali.

2. The gravamen of the FIR in question reflects that the FIR in question was registered on the basis of a complaint filed by the complainant—Rampal Puri, who in his complaint made to the police has

alleged that on 13.01.2025, while he along with his brother Baljit Puri was present at his house celebrating Lohri, the accused persons were playing loud music nearby and openly challenging others. When they had raised objection, all the accused, including the present petitioners, came in front of his house and started quarrelling. The complainant has further alleged that petitioner Inderjit Gir and Sachin Gir caught hold of the deceased Baljit Puri, while the co-accused gave fist blows on his chest. Upon raising alarm, the accused fled from the spot. The injured was taken to GMCH, Sector 32, Chandigarh, where he was declared dead by the doctor. The motive behind the occurrence is stated to be a prior dispute regarding payment of commission in a land transaction. Upon these set of allegations, the present FIR came to be registered against the accused persons.

3. Learned senior counsel for the petitioners has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioners are concocted, improbable and devoid of any merit. Learned senior counsel for the petitioners submits that the petitioners have been falsely implicated into the FIR in question. He further contends that as per the postmortem report, no external injury was found on the body of the deceased. He further submits that the petitioners were not armed with any weapon and no recovery is to be effected from them. He further contends that co-accused Narinder Puri has already been granted the concession of regular bail by this Court vide order dated 19.03.2026 (Annexure P-4) and the case of the petitioners stands on a similar footing. He further submits that the petitioners No.2 & 3 have clean antecedents and are not involved in any other case. The petitioner No.1 is the ex-Sarpanch of the village and has

clean record, except a case registered under the Punjab Mines and Minerals Act.

3.1. Learned senior 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 senior counsel has asserted that nothing is to be recovered from the petitioners. 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 petitioners are ready to join the investigation and, hence, no useful purpose would be served by sending them behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel (assisted by learned counsel for the complainant) while raising submissions in tandem with the short reply dated 28.04.2026 has opposed the petition in hand by arguing that the petitioners are specifically named in the FIR and have been attributed distinct and active role of inflicting injuries on the person of the deceased. Relevant paragraph of the short reply reads thus:

“Role of the petitioners:-

6. *That in the instant case, the petitioners in-conivance with his co-accused Narinder Puri actively participated in the preparation of the crime and later executed the same in a pre-planned manner in connivance with each other by murdering the victim Baljit Puri. As per the allegations made in the FIR, Prajlav (petitioner no.3), Ex-Sarpanch Inderjit Gir (petitioner no. 1), and Sachin (petitioner no. 2) came in front of house of the complainant and entered into scuffle with them, Inderjit Gir (petitioner no. 1) and Sachin Gir (petitioner no. 2) caught hold of brother of the complainant. Prajlav, along with co-accused (non petitioners) gave fist blows on the chest of brother of the complainant Baljit Puri and caused serious internal injuries, resulting into his death.*

The deceased died within a short span of time. The case is based on eye witness account and the petitioners have been specifically named as the assailants. During the course of investigation, it was found that the petitioners remained with his co-accused throughout from the very beginning till end. A true photocopy of the Medical record including the MLR, PMR REPORT, Chemical Examiner Report and Histopathology Report etc. is annexed herewith as Annexure R-1.

Evidence against the petitioner:-

7. That in the instant case, the petitioners in a pre-planned manner and in connivance with his co-accused actively participated in the preparation of the crime and later executed the same in connivance with his co-accused by committing No.9751///complainant a specific role of caught hold has been attributed to petitioner no. 1 and 2, and causing fist blows on the chest of the deceased has been attributed to petitioner no. 3.

8. That the Ld. Trial Court dismissed the bail application of the petitioners by passing a legal and well reasoned order dated 06.04.2026.

Antecedents of the Petitioners:-

9.. That as far as antecedents of the petitioners are concerned, it is respectfully submitted that petitioner no. 1 is involved in two cases/FIR's i.e., (i) FIR No. 26 dated 26/02/2023, u/s 379, 4(1) IPC, registered at P.S. Sohana, wherein he was convicted by the Ld. Trial court on 14.02.2026 and, (ii) FIR No. 15, dated 10.02.2003, u/s 324, 341, 506, 34 IPC, registered at P.S. Sohana, wherein he was acquitted by the Ld. Trial Court on 16.01.2009. Whereas, as far as the petitioner no. 2 and 3 are concerned, they are not involved in any other case as per available records.”

Learned State counsel has, accordingly, argued that the petitioners actively participated in the assault and they caught hold of the deceased and inflicted blows, which ultimately resulted in his death. Learned State counsel further submits that the allegations are grave in nature and involving commission of an offence punishable under Section 302 IPC.

Learned State counsel further submits that custodial interrogation of the petitioners is required to unearth the complete chain of events, including the motive, manner of occurrence and recovery of weapon(s) used in the crime in question. Given the severity of the offence, there exists a substantial likelihood that the petitioners may abscond or tamper with the evidence, if they are enlarged on bail. 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 petitioners. The petitioners are specifically named in the FIR and have been attributed an active role in the crime, with regard to catching hold of the deceased while co-accused inflicted blows, resulted in the death of injured-Baljit Puri. The occurrence is stated to have been witnessed by eye-witnesses.

The contention raised by learned senior counsel for the petitioner regarding absence of external injuries and the possibility of natural death, cannot be accepted, at this stage, as it is a matter of trial and the same would be examined during the course of trial. The grant of bail to co-accused Narinder Puri also does not merit acceptance, at this stage, as the said petitioner was extended the concession of regular bail. As per the reply filed by the State, petitioner No.1, who is the Ex-Sarpanch of the village, earlier also involved in two criminal cases and, thus, appears to be a habitual offender. The requirement of custodial interrogation, particularly in a case involving allegations under Section 302 IPC, is necessary.

No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioners have 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 petitioners. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioners, 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.”

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

May 01, 2026
Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No