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

CRM-M-20004-2026

Sukhvir Singh @ Sukhjinder Singh @ Jinder

....Petitioner

Versus

State of Punjab

....Respondent

Date of Decision: April 10, 2026

Date of Uploading: April 10, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

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 petitioner, in case bearing FIR No.95 dated 03.09.2025, registered under Sections 118(1), 115(2), 333, 324(4), 191(3), 190 of BNS 2023 and (Section 117(2) of BNS 2023 added later on), at Police Station City Zira, District Ferozepur.

2. The gravamen of the present FIR reflects that the FIR has been registered on the statement of the complainant—Gurpinder Singh who in his statement made before the police has stated that on 23.08.2025 at about 10:15 PM, when he along with his family members was present at the house of his sister, the petitioner along with other co-accused, forming an unlawful assembly and armed with deadly weapons, including a *kirch*, *gandasi*, iron rods and sticks, forcibly entered the premises and launched a assault on

them. He has further alleged that the petitioner, armed with a *kirch*, inflicted multiple blows on his abdomen and other vital parts of body. He has further alleged that the petitioner had repeated strikes near the navel and right side of the stomach. He has further stated that other co-accused accompanying the complainant also attacked upon him and also on his brother-in-law and nephew, as also upon the women present, causing multiple injuries. He has further alleged that the accused persons had damaged the property, including the iron gate of the house. The complainant has further alleged that earlier there was dispute relating to overflow of drainage water in the street and as a result of which the petitioner alongwith other co-accused had attacked upon them. Upon these set of allegations, the instant FIR came to be registered against the accused persons.

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 in question. Learned counsel has argued that that the matter arises out of a neighbourhood dispute regarding drainage and a cross-version registered vide DDR No.18 dated 05.09.2025 is also pending. It is further argued that there is delay of 10 days in registration of the FIR and that the petitioner is a young man aged 28 years with clean antecedents.

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 has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. It is, accordingly, argued that the petitioner is specifically named in the FIR and was a part of the unlawful assembly which caused injuries on the person of the complainant and his family members. He has further submitted that the petitioner was armed with a *kirch* and inflicted 12 injuries on the vital parts of the body of the complainant. He has further argued that there are five victims, who sustained in total 34 injuries, as per the MLRs. Given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if he is 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.

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 petitioner involving in a brutal attack carried out with deadly weapons, resulting in multiple injuries on the vital parts of the complainant and his family members. There are five victims, who sustained 34 injuries, out of which 12 injuries are alleged to have been inflicted by the petitioner (*herein*). The role attributed to the petitioner is specific, as he is alleged to have inflicted

repeated blows with a sharp-edged weapon (*kirch*) on the abdomen and other vital parts of the complainant. As per the MLR, the injuries have been declared to be dangerous to life. The argument raised by the learned counsel for the petitioner that there was a delay of 10 days in registration of the FIR, does not merit acceptance, keeping in view the nature of allegations and number of injuries suffered by the complainant and other victims. Further, keeping in view the nature of allegations, the custodial interrogation of the petitioner is necessary, particularly for recovery of weapons and for effective investigation.

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.

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 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* [*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 petitioner. 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**.

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

April 10, 2026

Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No