

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

2026:PHHC:058855



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CRM-M-20925-2026

Vikramjit Singh @ Vicky

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

Decided on : 20.04.2026

Date of uploading:20.04.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kulwinder Singh Lakhanpal, Advocate for the petitioner.
Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. 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.0033 dated 28.02.2026 registered under Section 304 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Nihal Singh Wala, District Moga.

2. The gravamen of the FIR in question reveals that the present case was registered on the basis of a complaint filed by the complainant- Mahila Singh aged 85 years, wherein the complainant has alleged that on 28.02.2026 at around 12:00 noon, two unknown persons approached him on the pretext of asking about some bone disease hospital. The complainant has

further stated that while he was helping them with the address of the said hospital, one of them suddenly snatched a gold ring weighing approximately one and a half tolas from his finger and thereafter both fled from the spot. Subsequently, during the course of investigation, the complainant came to know that the said unknown persons were Vikramjit Singh @ Vicky (petitioner herein) and Gurpreet Singh @ Sonu. Upon these set of allegations, the present FIR has been registered against the accused persons.

3. Learned counsel for the petitioner has submitted that the petitioner is an innocent person and has been falsely implicated in the present case. It has further been contended that the petitioner has been nominated in the FIR in question by co-accused in the disclosure statement, which is not admissible in the eyes of law. Learned counsel asserts that the in the instant case, the FIR fails to include material facts, which further raised questions about its credibility and fairness. 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. It is lastly submitted by the learned counsel that the present petition be allowed and the petitioner be granted the concession n of the anticipatory bail.

4. *Per contra*, learned State Counsel has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations against the petitioner are grave and serious in nature of snatching. Learned State Counsel submits that the petitioner is a member of gang and specific allegations have been levelled against the petitioner and his co-accused of snatching of a gold ring from an old person aged 85 years. The investigation

qua the FIR in question is still ongoing. 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. According to learned State counsel, in case the petitioner is granted the concession of pre-arrest, at this stage, it may impede the ongoing investigation.

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 allegations set forth in the FIR, serious charges have undeniably been levelled against the present petitioner. The allegations against the petitioner are grave and serious in nature of snatching from an elderly person of 85 years old. The name of the petitioner has surfaced during investigation on the basis of disclosure made by the co-accused. As per submissions made by learned State counsel, the investigation is still at a preliminary stage, and custodial interrogation of the present petitioner is necessary to unravel the truth. The learned counsel for the petitioner has failed to demonstrate that the case registered against him is false.

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 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.”

8. In view of the gravity of the allegations and nature of offence, since the necessity of custodial interrogation would arise for a fair and thorough investigation, 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.

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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.

April 20, 2026
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No