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2026:PHHC:073121



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IN THE HIGH COURT OF PUNJAB AND HARYANAAT CHANDIGARH

CRM-M-22559-2026

Raghvir Singh

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: May 11, 2026

Date of Uploading: May 11, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Pardeep Kumar, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') is the second attempt to seek concession of anticipatory bail to the petitioner, in case bearing FIR No.47 dated 19.03.2026, registered for the offences punishable under Sections 351(3), 308(4), 62 and 3(5) of the BNS, 2023, at Police Station Maur, District Bathinda.

2. The gravamen of the allegations against the petitioner is that on 09.01.2026, the complainant received a threatening WhatsApp call from gangster Dilpreet Singh, during which he was threatened with dire consequences and elimination. It is further alleged that shortly thereafter, three cars approached near the vehicle of the complainant, from which several

persons alighted. Among them were gangster Dilpreet Singh and Ajaib Singh, along with other accused persons. They allegedly threatened to kill the complainant; however, since police official Hardeep Singh was present at the spot, the accused persons left the place. The complainant further alleged that he continued to receive threatening calls thereafter. It has also been alleged that Saudagar Singh and Raghbir Singh lodged a false complaint against the complainant and compelled him to deposit his licensed weapon. There exists a property dispute between him and Saudagar Singh, and in furtherance of the said dispute, Saudagar Singh had allegedly engaged anti-social elements to intimidate and harm the complainant.

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 for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question only on account of his being a witness to one agreement to sell entered between the co-accused and the complainant – side. The petitioner has nothing to do with the alleged incident. Learned counsel has further submitted that there is a long lasting land dispute between the complainant and co-accused – Saudagar Singh, and the FIR in question is concocted one and designed to convert a purely civil dispute into a criminal case just to harass the petitioner and others. Learned counsel has further submitted that no specific or overt act has been attributed to the petitioner.

3.1. Learned counsel has argued that nothing is to be recovered from the petitioner. Learned counsel has further iterated that the petitioner is ready and willing to join investigation, and no purpose would be served by keeping

the petitioner behind bars. On the basis of the aforementioned submissions, grant of the instant petition is prayed for.

4. Learned State counsel has filed reply by way of an affidavit dated 06.05.2026, in the Court today, which is taken on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that allegations raised against the petitioner are serious in nature. Relevant of the said reply reads as under:

“6. Role of the petitioner
The houses of the petitioner Raghvir Singh and the complainant are situated near each other. The petitioner and co-accused threatened to eliminate the complainant in order to extort the possession of the land in question from the complainant. The petitioner has shown the land in question to the accused Gurmeet Singh and Ajaib Singh and he also signed the agreement to sell dated 07.1.2026 executed by the accused Sodagar Singh in favour of the accused Gurmeet Singh, well knowing that the complainant is in possession of the land in question and there is stay on the said land. The petitioner participated in the commission of crime.

7. Criminal Antecedents of the petitioner and co-accused
That it is submitted that besides the FIR in question, the Petitioner is also involved in the following cases:-

S.No.	FIR No.
1.	FIR No.33 dated 03.05.2010 u/s 15 NDPS Act, P.S. City Barnala
2.	FIR No.68 dated 29.12.2015 u/s 307, 382, 148, 149 IPC, Section 25 of Arms Act, P.S. Joga
3.	FIR No.50 dated 13.06.2021 u/s 307, 452, 506, 324, 120-B IPC P.S. Joga
4.	FIR No.57/2015 u/s 61,1,14 Excise Act P.S. Balianwali”

4.1. Learned State counsel has further submitted that, investigation, in the present case, is still under way and the petitioner is yet to be arrested. In case, the petitioner is released on anticipatory bail, there is all likelihood that he may interfere with the prosecution evidence/ witnesses. Learned State counsel has also submitted that the petitioner has no clean antecedents. Given these circumstances, custodial interrogation of the petitioner is indispensable. It is

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therefore, submitted that the present petition is devoid of merit and is liable to be dismissed.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per prosecution case and material placed on record, it is borne out that serious allegations have been levelled against the petitioner. Learned trial Court observed that the petitioner is a habitual offender and is indulging in acts of extortion and has been continuously threatening the complainant. The petitioner, along with other anti-social elements, allegedly attempted to cause physical harm to the complainant; however, the complainant was rescued due to the timely presence of police official Hardeep Singh at the spot. The Court further observed that grave allegations have been attributed to the petitioner, which have the tendency to create alarm and panic in society.

6.1. A perusal of the aforesaid reply filed by the State reveals that the petitioner does not possess clean antecedents and is involved in multiple FIRs. The same, coupled with the serious allegations levelled against the petitioner, disentitles him from the grant of the relief sought in the present petition.

6.2. 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. Furthermore, the investigation is still at a crucial stage, and custodial interrogation of the petitioner is considered necessary to unearth the complete facts and to ascertain involvement of any other persons connected with the case. The petitioner is yet to be arrested and grant of anticipatory bail, at this stage, may prejudice the ongoing investigation. The apprehension

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expressed by the prosecution that the petitioner, if released on bail, may abscond or attempt to influence witnesses also appears to be not without basis. Given the seriousness of the offence, the stage of investigation and possibility of tampering with evidence or obstructing justice, this Court is of the view that the petitioner does not deserve the concession of bail at this juncture.

8. It is befitting to mention here that while considering 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. A profitable reference in this regard is being made to the dicta passed by the Hon'ble Supreme Court titled as *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*, the Supreme Court held as under, relevant whereof reads 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 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.”

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 establish a reasonable basis

for his accusation. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

9. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* 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**.

10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 11, 2026
Mahavir

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