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

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CRM-M-24105-2026 (O&M)
Date of decision: 12.05.2026

Sukhveer Singh @ Surjeet Singh @ Bablu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Piyush Setia, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) seeking grant of anticipatory bail in case bearing FIR No.112 dated 18.09.2024, registered under Sections 103(1), 3(5), 61(2), 351(3) of BNS at Police Station Khuian Sarwar, District Fazilka.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of the statement recorded by complainant Mohan Singh alleging therein that about 3-4 days prior to the occurrence, his son Harpreet Singh @ Sunny had quarrelled with accused Manpreet Singh @ Manu and the present petitioner Sukhveer Singh @ Surjeet Singh @ Bablu and during the said quarrel, threats to kill were allegedly extended to the deceased. It was further alleged that on the

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intervening night of 17/18.09.2024, Harpreet Singh @ Sunny went missing and on the next morning, his dead body was found lying near solar plates installed near the pond of village Sappanwali. On the basis of suspicion arising out of the previous quarrel, the complainant alleged that the petitioner and co-accused, namely Manpreet Singh @ Manu, Amit @ Meetia and Deepak @ Depu, had hatched a conspiracy and murdered his son. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application before the Court of learned Additional Sessions Judge, Fazilka but the same was dismissed, vide order dated 28.01.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case merely on the basis of suspicion and there is no eye-witness account connecting him with the alleged occurrence. It has further been argued that no specific role, overt act or weapon has been attributed to the petitioner and the allegations levelled against him are omnibus in nature. Learned counsel submits that the prosecution case is based entirely upon circumstantial evidence and even the chain of circumstances is not complete. It is further argued that the medical evidence does not support the prosecution version inasmuch as the postmortem report does not disclose any fatal external injury and the cause of death has not been conclusively opined. It is submitted that the FSL report indicates presence of intoxicating substances in the blood sample of the deceased, thereby lending support to the plea that the deceased may have died due to drug overdose and not on account of homicidal violence. It has also been argued that co-accused Deepak @ Depu, Amit Kumar @ Meetia and Manpreet Singh @ Manu have already been granted the concession

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of regular/interim bail by the learned Additional Sessions Judge, Fazilka. The petitioner is ready to join the investigation. No recovery is to be effected from him. His custodial interrogation is not required. No useful purpose would be served by detaining him into custody. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of anticipatory bail.

4. Reply has been filed by the respondent-State. Learned State counsel has opposed the prayer for anticipatory bail and submitted that the petitioner is specifically named in the FIR and serious allegations pertaining to commission of murder have been levelled against him. The petitioner along with co-accused, after hatching criminal conspiracy with each other, had administered heavy dose of some intoxicant to the victim, which led to his death. The custodial interrogation of the petitioner is necessary for effective investigation and to unearth the true circumstances leading to the death of the deceased. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner along with co-accused is alleged to have hatched a conspiracy to murder the son of the complainant, namely Harpreet Singh @ Sunny, on account of previous enmity arising out of a quarrel that had taken place a few days prior to the occurrence, during which threats to kill the deceased were allegedly extended by the accused persons. The allegations against the petitioner are quite serious in nature. He has been duly named in the FIR. The investigation is still underway and the prosecution asserts that custodial interrogation of the petitioner is necessary to ascertain the true circumstances leading to the death of the deceased. Keeping in view the nature

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and gravity of allegations, the specific naming of the petitioner in the FIR, the allegations regarding prior threats extended to the deceased and the requirement of custodial interrogation for effective investigation, this Court does not find it to be a fit case for grant of extraordinary relief of anticipatory bail. His custodial interrogation is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be

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allowed. Accordingly, the same is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

12.05.2026
Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No