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CRM-M-24151-2026

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2026PHHC.078644



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

CRM-M-24151-2026

Date of decision: 20.05.2026

LOVEPREET SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Amit Arora, Advocate for the petitioner.

Ms. Amrit Kaur Mahir, AAG Punjab.

Mr. Pankaj Kalia, Advocate for the complainant.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner in FIR No.0015 dated 09.02.2026 registered under Sections 109, 333, 191(3), 190 of BNS, 2023 and Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Sarai Amant Khan, District Tarn Taran.

2. Brief facts of the present case are that, the petitioner who after having an altercation with the complainant, called the co-accused persons to the spot, facilitated their unlawful assembly and entered into the house of the complainant and fired with deadly weapons with an intention to kill and caused injuries to the complainant and his minor child. Hence, the present FIR.



3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submits that no overt act has been attributed to the petitioner except that he hurled abuses. He further submits that the petitioner was not armed with any weapon and therefore no specific injury has been attributed to the petitioner. He submits that there is a delay of one day in registration of the FIR, thereby casting serious doubt on the prosecution story. He further submits that the complainant and the petitioner are relatives and the dispute between the parties is trivial in nature. He submits that except one injury all other injuries attributed to the petitioner have been declared simple in nature. However, he submits that the complainant has himself admitted in his statement that the petitioner was unarmed. No recovery is to be effected from the petitioner. He further submitted that the petitioner has clean antecedents as he is not involved in any other case. No recovery is to be effected from him. Learned counsel further submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Therefore, it is urged that the petition deserves to be allowed.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by learned Additional Sessions Judge, Tarn Taran vide order dated 17.04.2026.

5. Learned State counsel has filed the status report, who, relying upon the same, has vehemently opposed the petitioner's prayer for bail. It



is submitted that the offence allegedly committed by the petitioner is serious in nature. The learned counsel further contends that the petitioner in collusion with his armed associates entered into the house of the complainant and opened fired upon the complainant and his minor child. She further submits that as per the MLR, one injury inflicted on the complainant has been declared grievous in nature. She further submits that the injury suffered by the minor child, aged about 8 years, has also been declared grievous in nature, due to which the child has suffered loss of vision in his right eye. She further submits that custodial interrogation of the petitioner is essential for effective investigation in the matter. On these grounds, the learned State counsel has prayed for dismissal of the present petition.

6. Learned counsel appearing on behalf of the complainant adopts the submission made by learned State counsel. He submits that the petitioner has actively participated in the offence and prays that the instant petition be dismissed.

7. Heard.

8. The allegations levelled against the petitioner are serious in nature. The petitioner, along with his armed associates, allegedly trespassed into the house of the complainant and opened fire upon the complainant and his minor child. As per the MLR, one injury suffered by the complainant has been declared grievous in nature. Moreover, the injury suffered by the minor child, aged about 8 years, has also been declared grievous in nature, resulting in the loss of vision in his right eye. Though



unarmed and no specific injury has been attributed to him, the allegations prima facie disclose his active participation in the occurrence. The plea regarding delay in registration of the FIR is a matter to be examined during the course of trial and do not, at this stage, entitle the petitioner to the concession of anticipatory bail. While considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. Granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

9. 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 would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma', (1997) 7 SCC 187**, wherein it has been held 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 information 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."

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

11. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

20.05.2026
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No