



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

(205)

**CRM-M-25332-2026
Date of Decision: 22.5.2026**

Monu Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Loveleen Nanda, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short '*BNSS*'), is for grant of anticipatory bail to the petitioner, in case FIR No. 27 dated 15.2.2026, under Sections 109, 118(1), 77, 190, 191(3) of BNS and later on added Section 103 of BNS, registered at Police Station Phase XI, SAS Nagar.

2. Brief facts of the case are that the present FIR was registered on the statement of complainant Jashanpreet Singh wherein he stated that on 15.2.2026, he along with Akashdeep Singh, Rahul Kumar, Arvin Kaur and his cousin Gursev Singh had gone to Laxmi Narayan Mandir near Phase-11, Mohali to pay obeisance in Verna Car bearing registration No. CH-01-CU-9540 of Gursev Singh. When they were returning at around 12.40 A.M., 10-15 unknown youth, who were standing near the Mandir, kept staring at his sister. When Gursev Singh objected to the same, then one boy took out a kirch and gave a blow with the same on his chest because of which he started bleeding, and the said unknown assailants fled away from the spot.



Gursev Singh was taken to Fortis Hospital, Phase-8, SAS Nagar (Mohali), where he succumbed to his injuries on 16.2.2026. During the course of investigation, 16 accused were arrested out of which 4 accused were found innocent.

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner has not been named in the FIR and has been nominated subsequently on the basis of secret information. It is further submitted that the petitioner was not present at the place of the alleged occurrence and was arrested solely on the basis of a video recording, authenticity of which is yet to be verified. Moreover, no specific role or allegations has been attributed to the petitioner, who in fact had no previous enmity with any person.

4. Status report by way of affidavit of Deputy Superintendent of Police, City-2, SAS Nagar (Mohali) has been filed by the State, which is taken on record.

5. *Per contra*, the learned State counsel opposes the present petition. It is submitted that specific allegations have been levelled that the petitioner, who was present at the place of the alleged occurrence, and was captured even while running away, in the CCTV footage, was a member of the unlawful assembly that had in furtherance of common intention, first teased the victim and upon the objection being raised by Gursev Singh, committed his murder. It is further submitted that apart from the CCTV footage, there are statements of the complainant and other witnesses, as well as photographs available in the police file, which show the presence of the petitioner along with the co-accused at the spot on the night of the alleged occurrence. It is averred that the custody of the petitioner is required for



further investigating the matter as well as to determine the exact sequence of events.

6. Heard the rival submissions made by learned counsel for the parties.

7. *Prima facie*, there are serious allegations against the petitioner, that he being a part of the unlawful assembly, was accompanying the co-accused when he allegedly stabbed and committed the murder of a young boy. There is material on record which *prima facie* indicates the presence of the petitioner on the spot along with the co-accused at the time of occurrence, based on which he has been nominated as an accused in the present FIR.

8. The position of law is settled that the concession of anticipatory bail, which is an extraordinary relief, cannot be granted on the mere asking of the petitioner. There must be an existence of exceptional circumstances in their favour so as to warrant the Court to extend this concession. Regrettably, there is nothing in the pleadings made on behalf of the petitioner, so as to make out the existence of any such exception, so as to make him entitled for grant of concession of anticipatory bail.

9. Therefore, having regard to the gravity of the alleged offences, the material on record, and the likelihood that custodial interrogation would be required of ascertaining the true extent of the alleged occurrence, this Court is not inclined to grant the concession of anticipatory bail to the petitioner, since grant of such relief at this stage might prejudice a free, fair and effective investigation.

10. Accordingly, the instant petition stands dismissed.

11. Needless to say that nothing observed hereinabove shall be



construed as an expression on the merits of the case.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

May 22nd, 2026
Gurpreet Singh

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