



CRM-M-31282-2026 (O&M) -1-

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

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**CRM-M-31282-2026(O&M)
Decided on: 27.05.2026**

IRFAN ALI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. M.S. Rana, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of present petition, the petitioner is seeking anticipatory bail in case bearing FIR No.118 dated 05.12.2025 (Annexure P-1), under Sections 115(2), 118(1), 324(4), 191(3), 190, 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 (for short - 'the BNS') [117(2) of the BNS added later on], registered at Police Station Gardhiwala, District Hoshiarpur.

2. Briefly stated, FIR in the present case has been registered on the statement of Hasandeen that on 25.11.2025, he went to village to attend *bhog* ceremony with his uncle and at about 2:40 pm while he was on his way back to home on his motorcycle, one car make Alto hit his motorcycle and the complainant fell on the ground. Five people i.e. Shokat Ali, Mochi, Bholu @ Gainda, Irfan Ali (the petitioner) along with one unknown person alighted from the car and encircled the complainant. On raising lalkara by the co-accused, namely, Shokat Ali that Hasan



Deen and Amudeen should not be spared, Irfan Ali (the petitioner) gave a blow with kirpan which hit the back of the head of the complainant with its sharp side as a result of which blood started oozing out. Thereafter, other co-accused inflicted injuries on the person of the complainant and gave beatings to them. Hence, the present FIR was registered.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in this case. It is further contended that the present FIR is a counter-blast to FIR bearing No.98 dated 29.05.2025 already registered against the complainant prior to registration of the present FIR and the same has been registered against the petitioner just to put undue pressure as no such occurrence had taken place; the petitioner is having clean and clear antecedents and, as such, prayed for grant of concession of anticipatory bail to him.

4. Notice of motion.

5. In pursuance of advance notice, Mr. Anup Singh, AAG, Punjab, put in appearance and accepted notice on behalf of respondent-State and opposed the grant of concession of anticipatory bail to the petitioner while submitting that the petitioner was armed with *kirpan* and inflicted injury on the head of the complainant. It is further submitted that as per medico legal report, the complainant was inflicted total 04 injuries, as such, the petitioner is required for custodial interrogation for proper investigation and recovery of weapon used in the alleged offence. Therefore, prayed for dismissal of anticipatory bail to the petitioner.

6. Heard.



7. After taking into consideration, the facts and circumstances of the present case and the rival contentions of learned counsel for the parties as well as the allegations against the petitioner, it transpires that the petitioner along with other co-accused inflicted *kirpan* injuries on the head of the complainant. Keeping in view the aforestated, custodial interrogation of the petitioner is required for proper investigation of the case and to recover the weapon used in the alleged offence is to be recovered.

8. In *State Represented by the C.B.I. v. Anil Sharma, 1997(7) SCC 187*, the Hon'ble Supreme Court emphasized the importance of custodial interrogation by holding that many useful information and concealed materials may be elicited from a suspect in custody than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

9. In view of above, this Court finds no merit in the present petition and, therefore, the same is hereby **dismissed**.

10. Nothing observed herein shall be construed as an expression of opinion by this Court lest it may prejudice the trial.

(SUBHAS MEHLA)
JUDGE

27.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO