



CRM-M-54675 of 2025

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

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CRM-M-54675 of 2025
Date of Decision: 20.01.2026

Jaskaran Singh @ Karan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.08 dated 05.02.2025 registered under Sections 109, 308(2), 308(4), 111(4), 125 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(6), 25(7) and 27(7) of the Arms Act, at Police Station Valtaha, District Tarn Taran.
2. Brief facts of the present case are that the petitioner alongwith other co-accused, fired upon the complainant, with an intention to kill him, when he refused to pay the amount of extortion. Hence, the present FIR.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that the petitioner was not named in the FIR and initially, the same was registered against one Prabh Dasuwal and

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unknown person. He further argued that the alleged incident took place on 03.11.2024 but the FIR in question was registered on 05.02.2025 i.e. after an unexplained delay of 03 months, casting serious doubt on the prosecution story. He further argued that the petitioner was nominated in this case only on the basis of suspicion that too after the supplementary statement made by the complainant on 21.02.2025. He further argued that the petitioner is working as a driver and in fact, he was not present on the spot at the time of the alleged incident and was present at Makhu at doing his job. He further argued that if the prosecution version is taken to be true, even then no specific role has been attributed to the present petitioner. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

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 the Court of learned Additional Sessions Judge, Tarn Taran, vide order dated 12.09.2025.

5. On the other hand, learned State counsel, replying upon the status report, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature and he has actively participated in the crime. He argued that the petitioner has been specifically named in the supplementary statement of the complainant as well as in the disclosure statement of co-accused Mehakdeep

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Singh. He further argued that the petitioner was the person who was armed with a pistol and fired at the complainant with an intention to kill him. He further submits that the custodial interrogation of the petitioner is required for fair and proper investigation in the matter, to recover the weapon of offence and identification and arrest of co-accused. Hence, he prays for dismissal of the petition.

6. Heard.

7. In the present case, the petitioner is named in the supplementary statement of the complainant as well as in the disclosure statement of co-accused Mehakdeep Singh and the allegations against him are specific and serious in nature. He was armed with a pistol and fired at the complainant with an intention to kill him. The weapon of offence is yet to be recovered and co-accused are yet to be arrested. The Court is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail 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.

8. 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



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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."

9. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Thus, the present petition being devoid of merits is hereby dismissed.

10. 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

20.01.2026

D.Bansal

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