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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.66929 of 2025
Date of decision: 03.02.2026

Rajwinder Singh alias Khulla ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Beant Singh Seemar, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
186	04.11.2025	Maur, District Bathinda	308(4), 351(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of the present

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petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Arshdeep Singh alleging that the present petitioner along with the co-accused had extorted a sum of Rs.40,000/- in past by extending threats to him and now also they had been raising demand of Rs.3 lakhs and otherwise threatening to kill him. The petitioner and the co-accused had even made one Amna resident of Village Ubha lodged in jail to call him raising similar demand and otherwise to kill him. He alleged that the petitioner along with the co-accused used to roam in the vicinity in the Scorpio vehicle and he was having serious threat to his life and property. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Bathinda vide order dated 14.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 3 days in registration of FIR which has not been explained at all. The ingredients for commission of subject offences are not made out against him. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. The allegations are quite vague. Accused Amandeep Singh @ Amna has already been extended benefit of regular bail by the Sessions Court. It is, thus, argued that the petition

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deserves to be allowed.

4. Status report has been filed by the respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner as by forming a gang with the co-accused, he is involved in extorting money from innocent persons by intimidating them. He does not have clean antecedents since he is involved in three more cases of serious nature. For conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioner is required. No extraordinary or exceptional circumstance for grant of anticipatory bail is made out. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have extended threats to the complainant and is further alleged to have made an attempt to extort money from him by criminally intimidating him and by showing weapons. The allegations against the petitioner are specific and serious. The case is at its nascent stage. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances.

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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's 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 an 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 of anticipatory bail. 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. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.



7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

03.02.2026
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(MANISHA BATRA)
JUDGE

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