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

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CRM-M-67612 of 2025
Date of Decision: 03.02.2026

Pargat Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Amritpal Singh, DAG, Punjab.

Mr. Ashwani Kumar Katter, Advocate, for
Mr. L.M. Gulati, Advocate
for the complainant.

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 petitioners in case FIR No.146 dated 19.08.2025 registered under Sections 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25/27 of the Arms Act, at Police Station Kamboj, District Amritsar (Rural).
2. Brief facts as per the prosecution case are that due to some quarrel, the petitioner along with other co-accused had caused injuries to the husband of the complainant with an intention to kill him. Hence, the present FIR.

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3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submitted that husband of the complainant-Lakhwinder Singh is a serving police official/SHO. He argued that at the time of lodging of the FIR, the complainant has concealed the material facts as it was the husband of the complainant who was quarreling with the petitioner and initiated the attack. Thereafter, Lakhwinder Singh along with his nephew-Yadwinder Singh fired a shot to kill the petitioner. Upon this, the petitioner also brought his licensed revolver but he never fired any shot at Lakhwinder Singh. He further submitted that the petitioner is claiming parity with co-accused Kulwinder Kaur and Sunpreet Singh (wife and son of the petitioner), who have already been granted the concession of anticipatory bail by this Court, vide order dated 17.10.2025. Moreover, the petitioner has clean antecedents as he is not involved in any other case and no recovery is to be effected from him. 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, Amritsar, vide order dated 03.11.2025.

5. On the other hand, learned State counsel, replying upon the status report, has opposed the prayer for grant of anticipatory bail on the

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ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner was specifically named in the FIR. He further argued that it was the petitioner who had fired upon the husband of the complainant (Lakhwinder Singh) with an intention to kill him and the bullet hit on his right side of the waist. He further argued that the petitioner is claiming parity with the co-accused, which is not justified as he is the person who had fired shot on the husband of the complainant. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case. He further submits that the custodial interrogation of the petitioner is required for fair and proper investigation in the matter and to take the investigation to its logical end. Hence, he prays for dismissal of the petition.

6. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of anticipatory bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

7. Heard.

8. In the present case, the petitioner was specifically named in the FIR and the allegations against him are specific and serious in nature. The petitioner is alleged to have fired a gunshot on the husband of complainant with an intention to kill him. While considering plea for grant of anticipatory bail, this 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,



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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 petitioners 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

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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. 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.

03.02.2026
D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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