



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.72397 of 2025
Date of decision: 20.01.2026

Dhiraj Kumar Yadav @ Dheeraj ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arun Kumar Gupta, 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 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
192	21.10.2025	Jamalpur, District Police Commissionerate Ludhiana	115(2), 109, 351(3), 324(4), 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition

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are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Mohd. Imran alleging that in the morning of 21.10.2025, he along with his cousin brother Mohd. Asgar was going somewhere in his Aactiva vehicle and while passing through Satsang house, they found two youths while quarreling with each other. They were known to Mohd. Asgar and while alighting from the vehicle, he went to stop those youths from quarreling and then they had an altercation with Mohd. Asgar himself. The complainant rushed for intervening but within his sight, the petitioner accompanied by the co-accused and 4-5 persons who were unknown to the complainant reached there and opened an attack upon the complainant and his cousin brother. They were armed with weapons. The petitioner and others extended beatings to Mohd. Asgar and then he took out a pistol from his pocket and handed over the same to co-accused Pardeep Kumar @ Billa who fired a shot with the same towards Mohd. Asgar with intention to kill him while extending threats. The complainant and his cousin brother rushed for their rescue but another shot fired upon his cousin brother by Pardeep Kumar hit the back side of his right shoulder and he had fallen down. He was further assaulted by the assailants with dandas. His Aactiva vehicle was set ablaze and then the assailants left while extending threats to them. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved

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an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 17.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The incident had allegedly taken place at 9:30 AM but he was present in a shop at that time. No specific injury has been attributed to him and has been falsely implicated on account of the fact that the younger brother of the complainant has enmity with the co-accused Pardeep Kumar. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, urged that the petition deserves to be allowed.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that there are specific allegations against the petitioner who accompanied by the co-accused was active participant in the crime. It was he who had handed over a pistol to the co-accused who had fired shots at the victim Mohd. Asgar thereby causing him a firearm injury. His custodial interrogation is required for conducting thorough investigation in the matter, for ascertaining the source from which he had procured the firearm as well as recovery of the same. More so, he had facilitated the occurrence of firing. No exceptional or extraordinary circumstance for grant of bail is made out in his favour. It is, therefore,

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stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have handed over a pistol to the co-accused who had fired shots with the same upon the victim Mohd. Asgar thereby causing one firearm injury to him. Though the petitioner has placed on record Annexure P-2 a photocopy of a photograph/screenshot taken from some CCTV footage showing him to be present in some shop at 9:34 AM as on 21.10.2025, however, the authenticity of this photograph cannot be ascertained at this stage. The allegations levelled in the FIR make out a prima facie case qua active involvement of the petitioner in the subject crime. The allegations against him are serious in nature. For conducting thorough and proper investigation in the matter, his custodial interrogation is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. 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 powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory



bail by this Court are existing. 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.

20.01.2026
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(MANISHA BATRA)
JUDGE

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