



CRM-M-72925 of 2025 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-72925 of 2025
Date of Decision: 11.02.2026

Surjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Rahi Mehra, Advocate
for the petitioner.

Mr. Amritpal Singh, DAG, Punjab.

Mr. Sunil Kumar Dahiya, 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 petitioner in case FIR No.524 dated 23.10.2025 registered under Sections 118(2), 351(2), 329(3), 191, 190 and 125 of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act, at Police Station Goindwal Sahib, District Tarn Taran.

2. Brief facts as per the prosecution case are that the petitioner along with other co-accused, armed with deadly weapons, attacked the complainant and caused injuries to him.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argued that the alleged



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occurrence took place on 11.10.2025 but the FIR in question was registered on 23.12.2025 i.e. after an unexplained delay of 12 days, casting serious doubt on the prosecution story. He further argued that if the contents of the FIR are taken to be true, even then no specific injury has been attributed to the present petitioner and name of the petitioner has been roped in the case unnecessarily. He submits that there is only one injury in the present case and that too is self suffered, on the non-vital part of body of the complainant. He further argued that Section 118(2) of BNS has been added deliberately, only to make the offence graver. 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 10.12.2025.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner has been specifically named in the FIR. He further argued that the petitioner, actively participated in the offence and fired a gunshot in the air with pistol. He further argued that in the said scuffle, the complainant had suffered a datar blow injury on his left arm above the wrist



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(injury No.1), which has been declared grievous in nature. 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. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of 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 is specifically named in the FIR and the allegations against him are serious in nature. He is alleged to have fired a gunshot in the air and actively participated in the crime. The weapon of offence is yet to be recovered. This Court is sanguine of the fact that while considering the petition for anticipatory bail, it 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.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding



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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 wider impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of the 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."

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



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to be an expression of opinion upon merits of the case/investigation.

11.02.2026
D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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