



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

CRM-M-73062-2025
Date of decision: 19.01.2026

YASHWANT KUMAR

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Piyush Setia, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the petitioner in case bearing FIR No.151 dated 27.06.2025 registered under Sections 305, 331(3), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City-I Abohar, District Fazilka.

2. Briefly stated, complainant-Rahul Makkar got recorded his statement against Pargat Singh @ Gora, Raman and Rajat with the allegations that on 23.06.2025 as per routine, complainant, his father and mother went to their respective work and there was nobody in the house. At about 3:00 PM, when the complainant came to house for lunch, he noticed that all the articles lying in the bed and almirah were scattered and on checking, Rs.2,50,000/- cash, gold chain, two silver chains and one mobile phone make MI were found to be stolen. Hence, the FIR was registered.



3. Learned counsel for the petitioner contended that the petitioner is falsely involved in the present case as his name is Yashwant Kumar, however, in the statement of complainant, the suspicion is on Raman and nothing has been recovered from the house of the petitioner. The petitioner is ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for relief of anticipatory bail to the petitioner.

4. Learned State counsel appeared on advance notice and filed reply dated 15.01.2026 by way of affidavit of PPS, Deputy Superintendent of Police, Sub-Division Abohar, District Fazilka, which is taken on record. Learned State counsel opposed the prayer made by the petitioner by submitting that the petitioner is known as Raman and regarding this statement of M.C. of concerned area has been recorded, wherein it has been specifically mentioned that the petitioner is also known as Raman and copy of the same has been annexed with the reply as Annexure R-1/T. Further, some stolen articles were recovered from co-accused and remaining articles are yet to be recovered, as such, the custodial interrogation of the petitioner is required for recovery of remaining stolen articles. As such, learned State counsel prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the contentions of learned counsel for the petitioner and learned State counsel as well as the contents of reply, custodial interrogation of the petitioner is required for recovery of remaining stolen articles, hence, the petitioner is not entitled to the relief of anticipatory bail in view of law laid down by the Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR***

Supreme Court 3806’ decided on 03.08.1997, wherein the importance of custodial interrogation has been emphasized by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

January 19, 2026
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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |