



CRM-M-17032 of 2026

-1-

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

166

CRM-M-17032 of 2026  
Date of Decision: 01.04.2026

Anil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

Present: Mr. Varun Kumar Jaglan, Advocate  
for the petitioner.

Mr. Gagandeep Singh Chinna, Sr. DAG, Haryana.

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**RUPINDERJIT CHAHAL, J (ORAL)**

1. Prayer in the present petition filed under Section 482 read with Section 528 of the BNSS, 2023 is for grant of anticipatory/blanket bail to the petitioner on apprehension of registration of an FIR in non-bailable offences.
2. Learned counsel for the petitioner submits that one Ajay Saini, a resident of VPO Khanpur, District Kaithal, in collusion with police officials, namely SI Rajender and Rajesh Kumar, has lodged a false complaint against the petitioner on fabricated and concocted allegations. It is contended that the said police officials have repeatedly called the petitioner in connection with the complaint, and the petitioner has duly appeared before them on each occasion. However, neither the grounds of the allegations nor the details of any FIR have been disclosed to him. It is

**CRM-M-17032 of 2026****-2-**

further submitted that SI Rajender and Rajesh Kumar have been continuously harassing the petitioner for the past 8-9 days and are pressurizing him to enter into a compromise. The petitioner states that he had borrowed a sum of ₹1,00,000/- from Ajay Saini for starting a business, out of which he has already repaid ₹30,000/-. It is alleged that Ajay Saini had obtained the petitioner's signatures on certain blank papers, which remain in his possession, and is now misusing the same to illegally demand ₹10,00,000/- from the petitioner. Upon the petitioner's refusal to meet such unlawful demands, Ajay Saini allegedly threatened to create disruption at the marriage of the petitioner's sister, scheduled for 20.02.2026. The petitioner submits that a heated exchange took place between them, which was merely a reaction to the provocative conduct and language of Ajay Saini. It is also alleged that Ajay Saini harassed the petitioner's mother and sister on 08.02.2026. In this regard, the petitioner's mother, Bhanumati, submitted a complaint to the Superintendent of Police, Kaithal, on 18.02.2026. Learned counsel further contends that the police officials are acting in collusion with Ajay Saini and are effectively functioning as recovery agents, with the intention of converting a purely civil dispute into a criminal case. The petitioner asserts that he has been falsely implicated in a case involving non-bailable offences and apprehends arrest at the hands of the police. It is submitted that no custodial interrogation of the petitioner is required. The petitioner undertakes to join the investigation and abide by any conditions that may be imposed by this Hon'ble Court while granting bail.



3. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of blanket/anticipatory bail on the ground that the present petition is nothing but a mere abuse of process of Court. He further submitted that granting blanket bail or issuing direction to the investigating agency to issue prior notice to accused only upon his mere apprehension that he might be arrested would obstruct the statutory powers of investigating agency. In support of his contention, he has relied upon decision of Hon'ble Supreme Court in *Sushila Aggarwal and others versus State (NCT of Delhi) and others 2020 (5) SCC 1*.

4. Heard.

5. In the present case, the petitioner is praying for grant of blanket/pre-arrest bail. Law is well settled as to whether blanket bail can be granted merely on apprehension of implication in a criminal case. A Constitution Bench of Hon'ble Supreme Court in *Gurbaksh Singh Sibbia etc. versus State of Punjab, 1980 SCC (2) 565*; laid down the law pertaining to the prayer for grant of blanket/pre-arrest bail. The relevant portion is reproduced as under:-

*“41. Apart from the fact that the very language of the statute compels this construction, there is an important principle involved in the insistence that facts, on the basis of which a direction under Section 438(1) is sought, must be clear and specific, not vague and general. It is only by the observance of that principle that a possible conflict between the right of an individual to his liberty and the right of the police to investigate into crimes reported to them can be avoided. A blanket order of anticipatory bail is bound to cause serious interference with both the right and the duty of the police in the matter of*



*investigation because, regardless of what kind of offence is alleged to have been committed by the applicant and when, an order of bail which comprehends allegedly unlawful activity of any description whatsoever, will prevent the police from arresting the applicant even if he commits, say, a murder in the presence of the public. Such an order can then become a charter of lawlessness and a weapon to stifle prompt investigation into offences which could not possibly be predicated when the order was passed. Therefore, the court which grants anticipatory bail must take care to specify the offence or offences in respect of which alone the order will be effective. The power should not be exercised in a vacuum.”*

6. More recently, a Constitution Bench of Hon'ble Supreme Court in ***Sushila Aggarwal and others versus State (NCT of Delhi) and others 2020 (5) SCC 1***; has also dealt with this issue while relying upon decision of the Hon'ble Supreme Court in ***Gurbaksh Singh Sibbia's*** case (supra) and observed that anticipatory bail should not be in the nature of a blanket bail. The relevant portion of the aforesaid judgment is reproduced as under:-

*“92. This Court, in the light of the above discussion in the two judgments, and in the light of the answers to the reference, hereby clarifies that the following need to be kept in mind by courts, dealing with applications under Section 438, Cr.PC;*

*92.1. XXXXX*

*92.2. XXXXX*

*93.3. XXXXX*

*92.4. XXXXX*

*92.5. XXXXX*

*92.6. An order of anticipatory bail should not be “blanket” in the sense that it should not enable the accused to commit further offences and claim relief of indefinite protection from arrest. It should be confined to the offence or incident, for*

**CRM-M-17032 of 2026****-5-**

*which apprehension of arrest is sought, in relation to a specific incident. It cannot operate in respect of a future incident that involves commission of an offence.”*

7. Accordingly, in the facts and circumstances of the present case and in view of the settled legal position as discussed above, the present petition being devoid of merits is hereby dismissed.

**(RUPINDERJIT CHAHAL)**  
**JUDGE**

**01.04.2026***D.Bansal*

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