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

CRM-M-57423-2024**Date of Decision: 26.11.2024**

Akshay Tanwar and another

...Petitioners

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Akshay Jindal, Advocate
for the petitioners.

Mr. Praveen Bhadu, Assistant Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 482 of BNSS with a prayer to grant anticipatory bail to them in case FIR No.51 dated 17.02.2024, registered under Sections 436, 120-B of IPC, at Police Station Shivaji Nagar, Gurugram.

2. Learned counsel for the petitioners contends that the only allegation against the present petitioners is that they had threatened the complainant and thereafter, Ravinder @ Ravi Kakran and Deepu had set the shop of the complainant on fire, causing huge financial loss. Learned counsel further contends that even during the course of investigation, it has been found that Ravinder @ Ravi Kakran and Deepu had set the shop on fire and the petitioners were not present there at the spot. Learned counsel has referred to the order dated 06.11.2024 (Annexure P-4), whereby Ravinder @ Damru has been granted the concession of bail by the trial Court. Even, co-accused, Ajay has been granted the concession of bail. He further contends that both the



petitioners have joined the investigation in the present case and their custody are not required. Moreover, challan has already been presented against them before the competent Court of law.

3. On the other hand, reply by way of an affidavit of Assistant Commissioner of Police, Crime-I, Gurugram has been filed on behalf of the respondent-State in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners by submitting that serious allegations have been levelled against both of them. However, he admits that both the petitioners have joined the investigation and challan has already been presented against them.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, both the petitioners have joined the investigation and the investigation is complete in the present case. Thus, no purpose will be served by sending the petitioners behind bars.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioners to join investigation, if so required, by issuing a written notice in this regard and they shall abide by the conditions mentioned in Section 482(2) of BNSS.

(N.S.SHEKHAWAT)
JUDGE

26.11.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No