

227- CRM-M-373-2025

2025:PHHC:010501



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-373-2025
Date of decision: 23.01.2025

Parveen KumarPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ajay Poonia, Advocate,
for Mr. Devender Arya, Advocate,
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

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SANJIV BERRY, J. (ORAL)

Status report dated 20.01.2025, filed in the form of affidavit of Deputy Superintendent of Police, (Tosham), Bhiwani, on behalf of State-respondent, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
332	01.09.2024	25(1) (a) of the Arms Act	Tosham, District Bhiwani

3. Heard.

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4. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern with the allegations levelled against him and has been wrongly nominated by the police on the alleged disclosure statement of the co-accused, namely Prince @ Golu, from whom recovery of country made pistol has already been effected by the police. As such, prays for grant of anticipatory bail.

5. *Per contra*, learned State counsel, referring to the reply submitted by the State has strongly opposed the petition by arguing that the petitioner is hardened criminal, having 11 more criminal cases already registered against him and there is specific attribution to the petitioner of having supplied country made pistol to the co-accused (*supra*) who was arrested in this case and suffered disclosure statement dated 01.09.2024 (Annexure R-1). Hence, prays for dismissal of the petition as the custodial interrogation of the petitioner is required in this case to ascertain the source where from he had brought this country made pistol.

6. After considering the rival contentions and perusing the record, it is observed that the police party headed by ASI Kashmir Singh, had apprehended the co-accused, namely Prince @ Golu, on 01.09.2024 and from his possession one county made pistol was recovered and he was arrested in the case during his interrogation, he

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made disclosure statement (Annexure R-1) that the said pistol was supplied to him by the present petitioner for Rs. 30,000/-, accordingly, the petitioner has been nominated in this case. The petitioner is not having clean antecedents and according to the status report (*supra*) filed by the State, 11 criminal cases have already been registered against the petitioner in different police stations, ranging from murder to extortion and attempt to murder and under the Arms Act. Therefore, considering the nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail as his custodial interrogation is required in this case.

7. Consequently, finding no merits in this petition the same is dismissed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.01.2025
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(SANJIV BERRY)
JUDGE

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