



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1209-2025
Date of decision: 10.02.2025

AVKASH ALIAS AKASH
....Petitioner

Versus

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Anil Kumar Bhadana, Advocate for
Mr. Pradeep Chhoker, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
650	26.10.2024	316(3), 318(4), 3(5) BNS, 2023	Samalkha, District Panipat.

2. Learned counsel for the petitioner submits that in compliance
to the order dated 27.01.2025, the petitioner has joined the investigation.

3. During the course of hearing on 27.01.2025, following order
had been passed: -

“ Status report dated 24.01.2025 filed in the form of an
affidavit of Deputy Superintendent of Police, Samalkha,



Panipat, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Heard.

It is inter alia contended by learned counsel for the petitioner that the petitioner has no concern whatsoever with the alleged vehicle. Neither he was the driver of the said vehicle nor has any concern with the allegations levelled in the FIR. He contends that as per the allegations, two bags of scraps were stolen, which as per the status report, have already been recovered from the possession of co-accused Tanveer. He submits that the petitioner is not having any criminal antecedents and nothing is to be recovered from him. Hence, prayed for grant of anticipatory bail.

Per contra, learned State counsel submits that the custodial interrogation of the petitioner is required. However, on a query, he has not disputed the fact that the stolen property has already been recovered from co-accused Tanveer and that the petitioner has no other criminal case registered against him.

Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 07.02.2025.”

4. Learned State counsel on instructions received from S.I. Ramesh Kumar informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 27.01.2025 passed by this Court, interim



conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

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

10.02.2025
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(SANJIV BERRY)
JUDGE

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