



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.2421 of 2025 (O&M)
Date of decision: 15.02.2025

Garvit
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Saurabh Chobey, Advocate
for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.224 dated 26.09.2024 under Sections 121(1), 126, 132, 221, 126(2), 324(4), 351(2), 304, 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ateli, District Mahendergarh.

2. On 17.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the petitioner has not been named in the FIR (supra), which was registered against some unknown persons. The main accused in the present case is Mohit Yadav, who stands arrested and his police remand was taken and all the recoveries were made from him. It is further contended that aforementioned co-accused Mohit Yadav has already been granted the concession of bail by learned Chief Judicial Magistrate, Narnaul vide order

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dated 25.12.2024 (Annexure P-2). Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is less than 03 years. Even no notice under Section 35 of BNSS (erstwhile Section 41-A of Cr.P.C.) has been served upon the petitioner.

Notice of motion for 15.02.2025.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law. ”

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3. Learned State counsel, on instructions from SI Satbir, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 17.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

15.02.2025
yakub

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