



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.2856 of 2025 (O&M)
Date of decision: 18.02.2025

Sanjay Singh
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit Rathee, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.408 dated 03.12.2023 under Sections 120-B/286/379/407/411 of IPC and Section 7 of Essential Commodities Act, 1985 and Section 4 of Explosive Substances Act, 1908 registered at Police Station Murthal, District Sonipat, Haryana.

2. On 18.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner inter alia contends that the petitioner is not named in the FIR (supra) and three of the accused were arrested at the spot and the name of the petitioner has been implicated solely on the basis of disclosure statement made by co-accused, Kamlesh. He further submits that the petitioner is having clean antecedents and he is not involved in any other case. Further, he is not even a party to the rent agreement of the plot in question.

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Notice of motion.

On the asking of the Court, Ms. Mayuri Lakhanpal Kalia, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (earlier Section 438 (2) Cr.P.C.).*

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

Adjourned to 18.02.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”

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3. Learned State counsel, on instructions from SI Pawan Kumar, 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 18.01.2025 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

18.02.2025
yakub

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