



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-4654-2025 (O&M)
Date of decision: 25.02.2025

Talim Khan
State of Haryana

Versus

....Petitioner
....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arjun Atri, Advocate
for the petitioner.
Mr. S.K. Panwar, Addl. A.G., 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.35 dated 02.02.2024 under Sections 457/380/506 of IPC registered at Police Station Sadar Tauru, District Nuh.

2. On 28.01.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case and co-accused, namely, Saina and Irfan have already been granted the benefit of bail. The petitioner has been nominated on the basis of disclosure statement made by the co-accused and further, the petitioner is not the registered owner of the vehicle bearing registration No. HR-47F-3307 in which the alleged stolen buffaloes were taken.

Notice of motion.



On the asking of the Court, Ms. Geeta Sharma, 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 25.02.2025.

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.”



3. Learned State counsel, on instructions from HC Rohtash, 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 28.01.2025 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

25.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No