

2025.PHHC:066884



217.

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-4201-2025

Date of decision: 19.05.2025

Ikhlas @ Iklas

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sourabh Kandoi, Advocate, for
Mr. Munfaid Khan, Advocate, for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail, under Section 482 of BNSS, 2023, in FIR No.114, dated 26.02.2015, under Sections 395, 397, 342 of IPC and Section 25 of Arms Act, 1959, registered at Police Station Dharuhera, District Rewari.

2. On 24.01.2025, while noticing the following submissions made by the learned counsel for the petitioner, this Court had directed that no coercive steps be taken against the petitioner:-

“Learned counsel for the petitioner, inter alia, contends that the alleged occurrence took place way-back on 26.02.2015, following which the FIR in question came to be registered. He further submits that after the alleged occurrence on 26.02.2015, co-accused Shahid @ Phullu got

arrested on 26.02.2015, who then allegedly suffered a disclosure statement nominating the petitioner as being one of the persons, who had participated in the alleged occurrence. It has been contended by the learned counsel that in the preceding almost 09 years not even once any attempt was made by the police to arrest him, however, after an inordinate delay of 09 years, the police was carrying out raids to arrest the petitioner in the aforementioned FIR.

On a pointed query put to the learned counsel as to whether the petitioner had been declared a proclaimed offender in the preceding 09 years after the alleged disclosure statement suffered by co-accused Shahid @ Phullu, he has categorically replied in the negative.

On a further query as to whether the petitioner has any previous criminal antecedents, the learned counsel for the petitioner has categorically replied in the negative.”

3. Thereafter, on 18.02.2025, after noticing the submissions made by learned State counsel, this Court granted the concession of interim bail to the petitioner and directed him to join investigation:-

“Learned State counsel, on instructions, has not disputed that one of the co-accused who faced trial had since been acquitted by the trial court. It has also not been disputed, on instructions by the learned State counsel that no proceedings under Section 82 Cr.P.C. were initiated against the petitioner in the preceding 09 years.”

4. Learned counsel for the petitioner submits that in compliance of order dated 18.02.2025, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from Inspector Raman Kumar, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 18.02.2025, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

May 19, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No