



254 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-5166-2025 (O&M)
Date of Decision: 28.02.2025

RAVI DUTT

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Knishk Swaroop, Advocate for
Mr. Suvir Sidhu, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

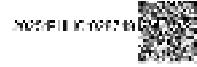
1. Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.472 dated 18.12.2024 under Section 25(1-B) (a) of the Arms Act, 1959 registered at Police Station Hisar Civil Lines, District Hisar (Annexure P-1).

2. On 29.01.2025, following order was passed:

"Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.472 dated 18.12.2024 under Section 25(1-B) (a) of the Arms Act, 1959 registered at Police Station Hisar Civil Lines, District Hisar (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner has been nominated as accused, as weapon recovered from the possession of the co-accused belongs to the petitioner. Petitioner has a valid licence to own the firearm in question as such FIR (supra) against the petitioner is not sustainable. It is further submitted that the weapon involved in the present case was stolen and the petitioner has already informed the jurisdictional police authority in this regard.

Notice of motion.



Mr. Ramesh Kumar Ambavta, AAG, Haryana puts in appearance on behalf of the State-respondent and accepts notice.

Adjourned to 28.02.2025.

*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; Arnesh Kumar vs. State of Bihar, (2014) 8 SCC 273 and Mohd. Muslim alias Hussain vs. State (NCT of Delhi), 2023 SCC OnLine SC 352**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on 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.*

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.

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 ASI Pardeep submits that in compliance of aforesaid order, the petitioner has joined the investigation and he is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 29.01.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482(2) of B.N.S.S.

5. The petition is accordingly disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.02.2025
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No