



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-5189-2025

Date of decision: 14.02.2025

RAJESH KUMAR

...PETITIONER

V/s

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Mayank Yadav, Advocate
for the petitioner.

Mr. Naveen Bhardwaj, Addl. A.G, Haryana.

Mr. Aditya Yadav, Advocate for respondent No.2.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case bearing FIR No.103 dated 27.06.2024, registered for the offences punishable under Sections 420, 467, 468, 471, 506 of IPC at Police Station City Kanina, District Mahendergarh.
2. On 31.01.2025, the following order was passed:-

“Apprehending his arrest in FIR No.103 dated 27.06.2024 registered for offences punishable under Sections 420, 467, 468, 471 and 506 of IPC at Police Station City Kanina, District Mahendergarh; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Learned counsel for the petitioner has submitted that, on account of inadvertence, the complainant could not be arrayed as a party-respondent in the main petition. An oral request has been made by learned counsel in this regard. Keeping in view the totality of facts and circumstances of the case, complainant, namely, Raj Kumar s/o Matadin, r/o Ward No.7, Kanina, District Mahendergarh, Haryana, is hereby impleaded as party-respondent No.2.

Registry is directed to carry out the requisite correction in the memo of parties.

Inter alia contends that the petitioner was earlier granted the concession of ad-interim bail vide order dated 15.10.2024 passed in CRM- M-50947-



2024; the said petition (CRM-M-50947-2024) came to be withdrawn as the complete antecedents of the petitioner was not disclosed in the said petition & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Naveen S. Bhardwaj, Addl. A.G., Haryana, appears and accepts notice on behalf of the respondent- State.

Adjourned to 14.02.2025.

The concerned SHO, through the learned State counsel, is directed to inform respondent No.2 about the pendency of the present petition as also next date of hearing fixed in the present petition. The concerned SHO shall also file a compliance report in this regard on or before the next date of hearing.

The petitioner is directed to appear before the Investigating Officer on 04.02.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel, on instructions, has stated that pursuant to the order dated 31.01.2025, the petitioner has joined investigation and is no longer required for custodial interrogation. Status report dated 10.02.2025 in the form of an affidavit of Dinesh Kumar, HPS, Deputy Superintendent of Police, Kanina, District Mahendergarh has been filed on behalf of respondent-State. The same is taken on record. Further, the learned State counsel has raised submissions in tandem with the said status report.

4. Learned counsel appearing for respondent No.2 also filed a reply in Court today. The same be taken on record. Learned counsel for respondent No.2 has raised submissions in tandem with the said reply.

5. I have heard learned counsel for the rival parties.

6. It is not in dispute that the petitioner has joined the investigation in terms of the order dated 31.01.2025. His custodial interrogation has been sought primarily on the ground that he is not disclosing details of the co-accused. In the considered opinion of this Court,



this ground is not sufficient to deny anticipatory bail to the petitioner, especially when he has joined the investigation, is cooperating therein. In view of above, the present petition is allowed and interim order dated 31.01.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) BNSS, 2023 or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

February 14, 2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No