



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
203

CRM-M-5956-2025
Decided on : 01.03.2025

Ankush alias Ankush Kumar and another
Versus
State of Haryana
... Petitioner(s)
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Inderjeet Singh, Advocate
for the petitioner(s).
Mr. Kanwar Sanjiv Kumar, AAG, Haryana along with
Mr. Kartik Chauhan, BDPO.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ankush @ Ankush Kumar and Rajbir	370	13.11.2024	3 of the Prevention of Damage to Public Property Act, 1984	Bilaspur	Yamuna Nagar

2. Status report by way of affidavit of Superintendent of Police, Yamuna Nagar, dated 24.02.2025, is already on record of the case at F/A. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

3. In compliance to the order dated 17.02.2025, Mr. Kartik Chauhan, BDPO, is present in-person in Court today. He expresses his



regret for non-appearance on the previous date of hearing, by submitting an explanation that on the same day, one of the rituals of marriage function of his own i.e. 'Mehandi' was fixed. However, he had sent his subordinate to the Court to explain the situation.

However, today, without explaining much, officer concerned submits his unconditional apology.

4. Considering the explanation given, it would be expected from the officer that, in the future, Court directions would not be taken by him so lightly, and in case appearance before the Court, despite direction, is not possible, an appropriate application for seeking exemption from personal appearance would be moved by him in advance.

5. After verification of the facts, learned State counsel submits that BDPO had forwarded the resolution submitted by the Panchayat, to the police for further necessary action. However, he himself had not verified the facts.

6. On the other hand, learned counsel for the petitioner submits that as per the direction dated 31.01.2025, both the petitioners have joined the investigation and fully cooperated with the investigating agency

7. Learned State counsel also confirms the said fact and submits that custodial interrogation of the petitioners is not required by the agency, and he has no objection, if the ad-interim bail order dated 31.01.2025, is confirmed..

8. Heard learned counsel for the parties.

9. Since the petitioner has joined the investigation and his custodial interrogation is not required, the present petition is allowed and the



ad-interim order dated 31.01.2025 is hereby made absolute.

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

10. Besides, it is directed that petitioners would hand over their respective passports to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

11. **Accordingly, petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

March 01, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*