



206 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7591-2025 (O&M)
Date of Decision: 07.03.2025

NAVEEN

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mandeep Singh Jaglan, Advocate for
Mr. S.S. Kaushik, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This second petition has been preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.79 dated 19.06.2024 under Sections 379, 511, 506, 427, 34 of the Indian Penal Code, 1860, registered at Police Station Alewa, District Jind.

2. On 10.02.2025, following order was passed:

"This second petition has been preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.79 dated 19.06.2024 under Sections 379, 511, 506, 427, 34 of the Indian Penal Code, 1860, registered at Police Station Alewa, District Jind.

Learned counsel for the petitioner submits that first petition i.e. CRM-M-6881-2025 filed by the petitioner seeking anticipatory bail was dismissed as withdrawn on 06.02.2025, as some typographical mistake crept in and liberty was granted to file a fresh petition on the same cause of action with better particulars.

Learned counsel for the petitioner, inter alia, contends that the petitioner was not named in the FIR (supra) and he has been nominated as accused only on the basis of disclosure statement made by co-accused while he was in police custody, which has no evidentiary value in the eyes of law. Further, there is no specific allegation against the petitioner, even as per the case set up by the prosecution. Moreover, the maximum sentence provided for the

offences, under which the FIR (supra) is registered, is punishable upto 07 years.

Notice of motion for 07.03.2025.

Keeping in view the ratio of 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, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Learned State counsel on instructions from ASI Rajbir Singh, submits that in compliance of order dated 10.02.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 10.02.2025, 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

07.03.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No