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

CRM-M-8717-2025 (O&M)

Date of decision : 27.05.2025

Parvesh

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tejas Ahlawat, Advocate for
Mr. Neeraj Sansaniwal, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the B.N.S.S.') has been filed for grant of pre-arrest bail to the petitioner in FIR No.473 dated 13.11.2024, under Section 25 of the Arms Act, 1959 and Sections 126 and 309(4) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS'), registered at Police Station Agroha, District Hisar.

(2) Status report by way of affidavit dated 20.05.2025 of Kishori Lal, HPS, Deputy Superintendent of Police, Agroha, Hisar on behalf of respondent, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

(3) Allegations are that co-accused Aditya @ Gattu and Raj Kumar @ Golu, armed with pistol, looted the car as well as other



articles of *de facto* complainant; name of the petitioner was nominated on the basis of disclosure made by above co-accused.

(4). Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 20.02.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation would not serve any purpose. Again contends that recovery of pistol, 6 live cartridges, cash amount of Rs. 10,000/-, looted car Make Swift, has already been effected from co-accused-Raj Kumar @ Golu; whereas, two I-Phones were recovered at the instance of co-accused Aditya @ Gattu; therefore, nothing is to be recovered from petitioner.

(5) Learned State counsel, on instructions from the quarter concerned although acknowledged the above factual position; but opposed the prayer on the premise that allegations are serious in nature.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) It transpires that petitioner was granted interim bail by this Court, vide order dated 20.02.2025 and the order reads as under:-

“Status report filed by way of affidavit dated 18.02.2025 of Kishori Lal, HPS, Deputy Superintendent of Police, Agroha, Hisar, on behalf of respondent-State, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

Contends, inter alia, that except disclosure made by co-accused Raj Kumar @ Golu and Aditya @ Gattu, there



is no material with the prosecution regarding complicity of the petitioner.

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In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

(8) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation. The objection raised by learned State counsel would not be a ground to deny pre-arrest bail to the petitioner for the reason that this is a no injury case; thus, it would be debatable during trial, as to whether such an incident had actually occurred?

(9) Moreover, nothing is to be recovered from petitioner and recovery of pistol, 6 live cartridges, cash amount of Rs. 10,000/-, looted car Make Swift and two I-Phones, has already been effected from co-accused-Raj Kumar @ Golu and Aditya @ Gattu.

(10) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner.

(11) Consequently, present petition is allowed; interim order dated 20.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of the BNSS.

(12) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.



(13) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(14) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

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

27.05.2025

d.gulati/Harish KUmar

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No