



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

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CRM-M-11585-2025

Date of decision: February 28th, 2025

Devender Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. M.R. Sharma, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking a direction to the police for the immediate arrest of respondent No.4, who is stated to be an accused in FIR 570 dated 15.12.2024 registered under Sections 420, 467, 468, 471 of the IPC at Police Station City, Fatehabad.

2. It has been contended by the learned counsel that since the anticipatory bail petition of respondent No.4 has been rejected both the learned trial Court and this Court, therefore, directions should be issued for the arrest of respondent No.4, particularly as he is due to retire today i.e. 28.02.2025.

3. Upon being specifically asked how such a direction can be issued, learned counsel for the petitioner submits that despite the dismissal of the petition for anticipatory bail filed by respondent No.4, both by the trial Court as well as this Court on 25.02.2025, the police have failed to arrest him even after three days.



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4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. This Court finds no legal basis to grant the relief sought. It is trite to say that the power to arrest an accused lies exclusively with the police and cannot be exercised or directed by this Court under Section 528 of the BNSS in a routine manner. The mere fact that the anticipatory bail petition moved by respondent No.4/accused was dismissed three days ago does not, by itself, warrant any interference by this Court in the investigative domain.

6. Furthermore, apart from a bald assertion that the police have not yet arrested the accused, the petitioner has placed no material on record to substantiate any action or deliberate omission on the part of the investigating agency. In the absence of any cogent grounds, no case is made out for the issuance of any directions as prayed for.

7. Accordingly, the instant petition stands dismissed.

February 28th, 2025

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No