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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-13976-2025
Date of Decision:-03.04.2025

RAJESH KUMAR
... PETITIONER
Versus
STATE OF HARYANA
... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Vikas Bishnoi, Advocate for the petitioner.
Mr. Amrik Narwal, DAG, Haryana.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner is praying for anticipatory bail in the following FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
45	04.02.2025	25 of the Arms Act	Sadar Fatehabad, District Fatehabad

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner was not nominated in the FIR but his name surfaced in the disclosure statement of co-accused Parveen Kumar @ Sonu from whom recovery of 02 pistols along with 08 live cartridges were allegedly effected. During course of investigation he disclosed that he had purchased the alleged recovered weapons from the present petitioner. He contends that petitioner has no concern whatsoever with the alleged recovered weapons.



He contends that the petitioner is ready to join the investigation. Hence prayed for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply submitted by the State has strongly assailed these arguments by contending that there are specific allegations against the petitioner of having sold the recovered illegal weapons for a sum of ₹2,50,000/- and to unearth the source and *modus operandi* of purchase and sale of illegal weapons, custodial interrogation of the petitioner is required. Hence prayed for dismissal of the petition.

5. After considering the arguments and perusing the record, it is observed that as per the case of the prosecution, on 04.02.2025 during patrolling co-accused Parveen Kumar @ Sonu was apprehended and from his possession two pistols and eight live cartridges were recovered and during course of investigation, he disclosed to the effect that the said illicit weapons were purchased from the present petitioner for a sum of ₹2,50,000/-. Custodial interrogation of the petitioner is required to unearth the nexus and also to ascertain the source from where the petitioner has procured these illegal weapons along with ammunition. Therefore, considering the serious nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

03.04.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No