

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:151740



(207)

CRM-M-15783-2025
Decided on : 04.11.2025

Pankaj KumarPetitioner(s)
Versus
State of HaryanaRespondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Akshit Mehta, Advocate, for the petitioner (s).

Mr. Gurmeet Singh, AAG, Haryana.

Ms. Geeta Sharma, Advocate for the complainant.

Sumeet Goel (Oral):

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.472 dated 15.12.2024 registered under Sections 316(5), 61(2), 3(5) of BNS, 2023, at Police Station Kalanaur, District Rohtak.
2. Vide order dated 07.04.2025, the petitioner was afforded the interim protection, relevant whereof reads thus:

“The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.472 dated 15.12.2024 registered under Sections 316(5), 61(2), 3(5) of BNS, 2023, at Police Station Kalanaur, District Rohtak.

Learned counsel for the petitioner contends that the petitioner has no concern with the alleged theft, which had taken place at Capri Global Capital Limited, Kalanaur, District

Rohtak. He further contends that in fact, the only allegation against the present petitioner is that Sahil, co-accused had pledged 216.10 grams of gold with the petitioner and the petitioner had lent an amount of Rs.11 lacs to him. Even the petitioner had exercised due caution, while engaging in the transaction, by making the payment through RTGS, ensuring a transparent financial record. Learned counsel has further relied upon the affidavit (Annexure P-2) sworn by Sahil, co-accused to contend that the petitioner had maintained proper record and had no knowledge that the gold was stolen from some financial institution. He further contends that the custodial interrogation of the petitioner may not be required and he is ready to join the investigation.

On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had illegally taken the gold from Sahil, co-accused and was involved in the crime.

At this stage, without commenting anything on the merits of the case, the petitioner is directed to join the investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of Arresting/Investigating Officer subject to the conditions envisaged under Section 482(2) of BNSS.

Adjourned to 22.05.2025.

3. Learned State counsel (on instructions from ASI Sunil) has submitted that the petitioner has joined investigation but his custodial interrogation is required for effecting recovery of the Gold in question.

4. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that allegations raised against the petitioner are serious in nature and in case the petitioner is extended the concession of anticipatory bail, there is all the likelihood that he may interfere with the investigation as also intimidate the witnesses and also the FIR-complainant.

5. Keeping in view the factual milieu of the case in hand, especially the factum of the petitioner having joined investigation and cooperated therein except recovery of Gold in question, this Court is inclined to confirm the order dated 07.04.2025 granting interim anticipatory bail to the petitioner, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. Ordered accordingly.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

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

November 04, 2025

Naveen

**(SUMEET GOEL)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No