

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-17562-2025
Date of decision: 22.05.2025

NARESH
Versus
STATE OF HARYANA
....Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Himanshu Bansal, Advocate
for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Naresh, aged about 37 years	151	03.05.2024	31, 32, 41, 42, 69 of Indian Forest Act, 1927 and u/s 379 of IPC	Murthal	Sonipat

2. Status report dated 17.05.2025 by way of an affidavit of Ajeet Singh, Assistant Commissioner of Police, Murthal, District Sonipat has been filed on behalf of respondent-State. The same is taken on record.

3. On 01.04.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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2. Learned counsel for the petitioner, inter alia, contends that name of the petitioner is not there in the FIR, therefore, his involvement is yet to be adjust. Further submits that recovery of the stolen wood, valuing about Rs.10.00 lacs, has already been effected. Thus, custodial interrogation of the petitioner is not going to serve any meaningful purpose to the prosecution. Even no specific role has been attributed against the petitioner.

3. Learned counsel further submits that petitioner is ready to join investigation, as and when, required by the prosecution. Thus, prays for grant of concession of anticipatory bail.

4. Notice of motion.

5. On asking of the Court, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, accepts notice and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions, and, in case of necessity, to file status report. Let a copy of the complete paper book be supplied to learned State counsel during course of the day.

6. Adjourned to 22.05.2025.

7. In the meanwhile, the petitioner is directed to join the investigation

as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

4. Learned counsel for the petitioner contends that in compliance of the order dated 01.04.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

5. Learned State counsel on instructions from ASI Sushil Kumar, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

6. Heard learned counsel for the parties.

7. Since the petitioner has joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 01.04.2025, passed by this Court is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. Accordingly, petition stands disposed of.

22.05.2025
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(SANJAY VASHISTH)
JUDGE

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