



CRM-M-20819-2025 (O&amp;M) 1

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

**CRM-M-20819-2025 (O&M)  
DECIDED ON: 08.12.2025**

**GAUTAM @ GAUTAM CHAUHAN****.....PETITIONER**

**VERSUS**

**STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Arman Goyal, Advocate,  
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

**SANJAY VASHISTH, J (ORAL)**

1. In compliance to the previous order dated 14.10.2025, learned State counsel has filed reply by way of an affidavit dated 06.12.2025, along with CDR of the petitioner and IO, as Annexures R-1 and R-2, respectively, in the Court today and the same are taken on record.

2. During the course of the short hearing, learned State counsel submits that, *prima facie*, it appears that petitioner has given a false statement before the Court with a motivated purpose, as he claims to have made efforts to join the investigation on 5<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> June, 2025; however, his location on those dates was found to be in Murthal and Sonapat, while the Investigating Officer remained present in the police station throughout.

3. On hearing counsel for the petitioner, on 22.04.2025, following order was passed by this Court:-



“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 |
|----------------------------------------------|---------|------------|-------------------------------|----------------|----------|
| Gautam @ Gautam Chauhan, aged about 29 years | 193     | 19.03.2025 | 115, 126, 3(5), 351(3) of BNS | Kundli         | Sonipat  |

2. Learned counsel for the petitioner, inter alia, contends that alleged incident took place on 17.03.2025, whereas complainant himself has gone to the police station first time on 19.03.2025 to report the incident.

Further submits that all the injuries are simple in nature and no specific role has been attributed to the petitioner. Even, registration number of the car, which is alleged to be snatched from the petitioner, is missing in the details of FIR.

3. Learned counsel for the petitioner further submits that the version narrated in the FIR is false and has been concocted due to some extraneous considerations. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

6. Adjourned to 15.05.2025.

7. In the meanwhile, petitioner would not be arrested.

However, the issue of joining of investigation of the petitioner would be determined on the next date of hearing, after going through the status report, which is yet to be filed by learned State counsel.”

4. Again, on 15.05.2025, by directing the petitioner to join the investigation, 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:-*

| <i>Name &amp; age of Petitioner (s)</i>             | <i>FIR No.</i> | <i>Date</i>       | <i>Section(s)</i>                    | <i>Police Station</i> | <i>District</i> |
|-----------------------------------------------------|----------------|-------------------|--------------------------------------|-----------------------|-----------------|
| <i>Gautam @ Gautam Chauhan, aged about 29 years</i> | <i>193</i>     | <i>19.03.2025</i> | <i>115, 126, 3(5), 351(3) of BNS</i> | <i>Kundli</i>         | <i>Sonipat</i>  |

*2. Learned counsel for the petitioner submits that the petitioner would disclose the names of all other accused, in case he is allowed to join the investigation. He also undertakes to cooperate fully with the investigating agency.*

*3. Learned State counsel has filed status report dated 12.05.2025 in the Court today and the same is taken on record.*

*4. To check the bona fide of the petitioner, he is directed to join the investigation within two weeks from today or as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on 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.).*

*This interim relief is granted subject to the condition that petitioner shall cooperate during the time of joining the investigation and would honour his own statement, got recorded today in this order.*

*5. 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.*

*6. List again on 29.07.2025.”*

*5. However, on the next date of hearing, i.e., 29.07.2025, counsel for both the sides took a conflicting stand, stating that petitioner had not come forward to join the investigation. Recording the statements made by counsel for the parties, this Court passed the following order:-*



“1. There appears to be a dispute regarding the petitioner's compliance with the direction to join the investigation, as per the order dated 15.05.2025 passed by this Court.

2. The Investigating Officer, SI Paviter Singh, has stated that three separate notices were issued to the petitioner, yet petitioner has failed to join the investigation.

3. Conversely, counsel for the petitioner submits that petitioner made an attempt to join the investigation, but was not provided with any acknowledgment or receipt. It is further submitted that Investigating Officer, either Paviter Singh or Dharmender Singh (exact name not being confirmed by the petitioner's counsel), had once visited the petitioner's residence as well.

4. In view of these conflicting claims, counsel for the petitioner is directed to file a detailed affidavit specifying the date, time, and circumstances under which he allegedly attempted to join the investigation, including the names of persons present during such attempts or during the alleged visit of the Investigating Officer to his residence.

5. List the matter again on 28.08.2025.”

6. In order to examine the truthfulness of the statement made by counsel for the petitioner and also of the investigating officer, on 14.10.2025, following order was passed by this Court:-

“1. Application i.e. CRM-33995-2025 has been filed by the applicant/petitioner, for placing on record the detailed affidavit dated 25.08.2025 of the petitioner specifying the date, time and circumstances under which he allegedly attempted to join the investigation.

2. In compliance with the directions issued by this Court on 15.05.2025, applicant/petitioner appeared before the Investigating Officer (IO) at Police Station Kundli, District Sonipat, to join the investigation and submitted an affidavit dated 23.05.2025, declaring that he does not possess any passport. During this visit, he cooperated with the investigation by disclosing the names of all other co-accused persons. Despite waiting from 12:00 PM to 5:00 PM, the Investigating Officer namely Dharmender, did not properly cooperate with him. He merely accepted the affidavit and asked the petitioner to go home. On the following day, i.e., 24.05.2025, Investigating Officer contacted the petitioner via his mobile number 74041-25493 and used abusive language during the call.



*Thereafter, as stated in the affidavit, petitioner again visited Police Station Kundli on 25.05.2025, accompanied by his friend Tarzan. As per the IO's instructions, petitioner also appeared on subsequent dates, i.e. 26.05.2025, 05.06.2025, 07.06.2025, and 08.06.2025.*

- 3. List again on 08.12.2025.  
To be shown in the urgent list.*
- 4. Let the contents of the affidavit submitted by the petitioner be responded by the concerned Investigating Officer. Additionally, location of the petitioner's mobile phone bearing number 96711-23250, as mentioned in the petition, shall also be verified. A report in this regard shall be submitted to this Court, along with the verified location details of the mobile phone of Investigating Officer Dharmender, bearing number 74041-25493, on the next date of hearing."*

7. Today, counsel for the petitioner submits that he is unable to argue the matter because petitioner has not contacted him to provide any explanation, despite his best efforts.

8. Having considered the status report dated 06.12.2025 filed by learned State counsel, arguments advanced therein, and submission of the petitioner's counsel that petitioner has not contacted him, this Court is of the view that petitioner is not entitled to discretionary relief, as principle of equity does not favour him. Accordingly, present petition stands **dismissed**.

08.12.2025

Lavisha

(SANJAY VASHISTH)  
JUDGE

Whether speaking/reasoned      Yes/No  
Whether reportable                Yes/No