

2025:PHHC:153881

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25367-2025
Date of Decision: 07.11.2025

Hansraj ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Mr. Vishal Singh, Assistant Advocate General, Haryana.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, who is an accused in case bearing FIR No.64 dated 04.04.2025 registered under Sections 305/316(2) BNS at Police Station Dadri City, District Charkhi Dadri has prayed for grant of pre-arrest bail.

2. Learned counsel for the petitioner submits that the petitioner, who is physically handicapped person, has been falsely implicated in the present case, at the instance of complainant, who is a senior officer in Government of India. Continuing further, learned counsel contends that complainant had engaged petitioner for painting his house. The work started in November, 2024. The plea taken by the complainant that petitioner committed theft in his (C) absence is absolutely incorrect. Further, there is no explanation forthcoming as to why the criminal proceedings were not initiated at the earliest, when the factum of alleged theft came to the notice of the complainant.

It is further the submission of learned counsel that the story as

projected by the complainant does not inspire confidence, for it does not appeal to common sense that complainant would leave the keys of his house with petitioner, where all the household articles are lying. Learned counsel next contends that in fact petitioner, who had been engaged as a painter had not been paid his dues. On which account, the application was moved by him before the police authorities to look into the matter. As a counter blast, the present FIR has been lodged. While drawing the attention to the order dated 24.04.2025 passed by learned Additional Sessions Judge, Charkhi Dadri, learned counsel further submits that taking note of the factual aspects of the case, concession of interim anticipatory bail was granted to petitioner. But due to some mis-communication, he (P) could not join the investigation. Resultantly, the bail application was dismissed by the learned Additional Sessions Judge. Even today, petitioner is willing to join the investigation.

3. Learned State counsel has opposed the request for grant of anticipatory bail on the ground that though the petitioner joined the investigation, he did not co-operate in the same. Learned State counsel submits that in view of questionable past antecedents, even otherwise the concession of this extra-ordinary relief of pre-arrest bail be not allowed to petitioner. Dismissal of petition has been prayed for.

4. On 13.05.2025, following order was passed by the coordinate Bench of this Court:-

“CRM-19199-2025

Application under Section 482 of Code of Criminal Procedure, 1973 (for short, ‘Cr.P.C.’), for exemption from filing certified and true-typed copies of the impugned order, annexures and the FIR.

For the reasons mentioned in the application, same is allowed as prayed for, subject to all just exceptions.

Main Case

Notice of motion.

Mr. Kiran Pal Singh, learned AAG, Haryana, accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 09.07.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

5. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 13.05.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
6. The petition stands allowed.
7. Pending application, if any, also stands disposed of.

07.11.2025

Sima/Parveen kumar

**(AARADHNA SAWHNEY)
JUDGE**

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