



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

104

CRM-M-26122-2025(O&M)

Date of Decision: 14.05.2025

RAM NIWAS @ BALAJI

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. V.B. Godara, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition has been made under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner for grant of pre-arrest bail in case arising out of FIR No.134 dated 15.04.2025 registered under Section 25 of Arms Act at Police Station City Fatehadad, District Fatehabad.

2. The aforementioned FIR has been registered on the allegations that on 15.04.2025, on receipt of a secret information that the petitioner had uploaded his photographs on social media showing himself to be carrying illegal weapons, the investigating officer checked the Instagram I.D of the petitioner and found that he had uploaded his pictures with illegal weapon on social media to create an environment of terror in the society. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by learned Additional Sessions Judge, Fatehabad vide order dated 02.05.2025.



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. Accordingly, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned Senior Deputy Advocate General, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted by him that there are serious allegations against the petitioner. He has criminal antecedents and has been involved in four other cases. He had been convicted in case registered under Section 174-A IPC at Police Station City Fatehabad. The allegation against him are serious in nature. For effecting recovery of illicit weapon which he is shown to be carrying in his picture posted in his Instagram I.D. and for conducting thorough investigation in the matter, his custodial interrogation is must. No exceptional or extraordinary circumstance has been even otherwise made out for allowing the petition. Accordingly, it is stressed that the petition does not deserve to be allowed

6. This Court has heard rival submissions as addressed by both the parties.

7. The petitioner is alleged to have carried an illegal weapon and posted his photographs with the said weapon on his Instagram I.D. The allegations *prima facie* make a case for commission of offence punishable under Section 25 of Arms Act against the petitioner. He has criminal antecedents. The case is still at its nascent stage. For conducting thorough investigation as well as for effecting recovery of the weapon in question, his



custodial interrogation is required. It is well settled proposition of law that powers for grant of pre-arrest bail are to be exercised in extraordinary and exceptional circumstances whereas no such circumstance has been made out in this case in favour of the petitioner. Keeping in view the discussion made above, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

14.05.2025

Deepak Patwal

(MANISHA BATRA)
JUDGE

- 1. Whether speaking/reasoned : Yes/No*
- 2. Whether reportable : Yes/No*