



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
217

CRM-M-28223-2025
Date of decision: 21.07.2025

Pawan Kumar and another
.....Petitioners
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail to the petitioners in FIR No.208 dated 07.05.2025 under Sections 316(5), 318(4), 61 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Urban Civil Lines, Karnal, District Karnal.

2. On 21.05.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioners, inter alia, contends that the petitioners have been made scapegoat in order to save the real culprits. Petitioner No.1 Pawan Kumar was employed as Security Guard and he has no role or concern with the sale and stock of the complainant’s product(s) and petitioner No.2 Virender Singh had retired on 30.04.2024 and he handed over the charge of the stock at the time of his retirement and at that time, neither there



was any shortage nor an objection was raised by anyone. In fact, Ram Niwas and Shyam Lal remained incharge of the butter store, as such, they are responsible for the shortage. The petitioners are having clean antecedents and they are not involved in any other case.

Notice of motion for 21.07.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners will cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in



accordance with law.”

3. Learned State counsel, on instructions from ASI Rajesh Kumar, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 21.05.2025 is hereby made absolute. The petitioners shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.07.2025
yakub

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