



225

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36603-2025

Date of decision: August 12, 2025

Mohan Kumar

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Pragyat Bhardwaj, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.95 dated 27.02.2022, under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Palam Vihar, Gurugram.

2. On 15.07.2025, the following order was passed:

“Apprehending his arrest in FIR No.95 dated 27.02.2022 registered for offences punishable under Sections 419, 420, 467, 468, 471 and 120-B of IPC, 1860 at Police Station Palam Vihar, Gurugram; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia contends that the only role ascribed to the petitioner is that he has identified the seller; the petitioner is not a beneficiary & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Aashish Bishnoi, DAG, Haryana, appears and accepts notice on behalf of the respondent-State.

Adjourned to 12.08.2025.

The petitioner is directed to appear before the Investigating Officer on 22.07.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”



3. Learned State counsel (on instructions from SI Chunni Lal) has stated that pursuant to the order dated 15.07.2025, the petitioner has indeed joined investigation, but his custodial interrogation is required to unearth the entire truth as also to arrest the person who had impersonated.

4. Keeping in view the entirety of the factual milieu of the case; especially, the petitioner having joined investigation and his custodial interrogation is being sought for only to arrest the person, who had impersonated, the interim order dated 15.07.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

8. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 12, 2025

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No