



CRM-M-36474-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213/2

CRM-M-36474-2025
Decided on: 15.09.2025

AJAY . . . PETITIONER

VS.

STATE OF HARYANA . . . RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Neeraj Yadav, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

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 here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ajay, aged about 38 years	216	19.06.2025	3(5) and 305 of BNS (during investigation Section 7 of the Essential Commodity Act, 1955 was added)	Model Town	Rewari

2. On 14.07.2025, following order was passed:-

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“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
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2. Learned counsel for the petitioner, inter alia, contends that allegations against the petitioner are unfounded and primarily based on conjecture. It is alleged that petitioner purchased 30 litres of diesel from a fuel station known as ‘Aravali Fuels’ and, along with his co-accused, was involved in the theft of oil from an oil tanker with the intent to sell it at higher rates in Rajasthan.

However, it is submitted that these allegations are false and baseless, as diesel is a commonly available commodity that can be easily procured from the open market. Therefore, mere purchase of diesel does not establish any illegal activity or support the claim of theft. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

3. Notice of motion.

4. 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.

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5. *Adjourned to 15.09.2025.*

6. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-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.).*

7. *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”.

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 14.07.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by learned counsel for the petitioner of joining the investigation on 04.09.2025, by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation. Reply has been filed by learned State counsel, is taken on record.



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5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 14.07.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. **Accordingly, petition stands disposed of.**

**(SANJAY VASHISTH)
JUDGE**

September 15, 2025
Poonam Sharma

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No