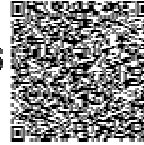


2025:PHHC:114246



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

CRM-M-38404-2025

Date of decision: August 27, 2025

Arvind Kumar Sharma

....Petitioner

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sudhir Rana, Advocate,
Mr. Deepak Joon, Advocate,
Mr. Ankush Duhan, Advocate and
Mr. Virender Ahlawat, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

Present second 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.202 dated 02.09.2024, registered for offences punishable under Sections 61, 318(4), 316(2) of the BNS, 2023 and Sections 10, 24 of the Immigration Act, 1983, at Police Station Farakpur, District Yamuna Nagar.

2. On 29.07.2025, the following order was passed:

“Reply by way of an affidavit of Deputy Superintendent of Police, Yamuna Nagar has been filed on behalf of the respondent-State in Court today and the same is taken on record.

In compliance of order dated 21.07.2025 passed by this Court, the complainant, namely, Kabir Virli has appeared in person and has been duly identified by SI Pawan Kumar from Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner had allegedly received a sum of Rs.1.70 lacs and he is ready to return the said amount to the complainant within a period of one week from today. The complainant, who is appearing in person, has no serious objection to the offer made by learned counsel for the petitioner. He, however, reserves his right to prosecute the petitioner and other accused in the present case.

At this stage, the petitioner is directed to join the investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of arresting/investigating officer subject to the conditions envisaged under Section 482 (2) of BNSS.

The petitioner is also directed to handover a demand draft of Rs.1.70 lacs to the complainant against the receipt within a period of one week from today.

From a perusal of the record, it is apparent that the other accused in the present case had cheated the complainant to the tune of Rs.32 lacs, who is an auto rickshaw driver. It is shocking to note that the police has still not taken any action against Charu Sharma, Lalita and Vinay Sharma alias Sanju, who are named as accused in the present case. Learned State counsel prays for some more time to seek further instructions in the matter with regard to the status of the investigation in the present case. The status report of investigation may be filed by way of an affidavit of Superintendent of Police, Yamuna Nagar.

Adjourned to 27.08.2025.”

3. Learned State counsel has filed supplementary reply by way of an affidavit dated 25.08.2025 of Kamal Deep Goyal, IPS, Superintendent of Police, Yamuna Nagar in the Court today, which is taken on record. A copy thereof has been furnished to the counsel for the petitioner. Learned State counsel (on instructions) has submitted that pursuant to the order dated 29.07.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required except for finding whereabouts of co-accused, namely Charu Sharma.

4. Having heard learned counsel for the parties and upon perusal of the record; especially keeping in view the factum of the petitioner having joined investigation and his custodial interrogation is not required except for finding whereabouts of co-accused (Charu Sharma), the interim order dated 29.07.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

5. Petition stands allowed, accordingly.

6. 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.
7. 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.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 27, 2025
mahavir

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