



CRM-M-44116-2025

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

CRM-M-44116-2025

Date of decision: 13.08.2025

Mohammad

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE **SUBHAS MEHLA**

Present: Mr. Nafeesh Ahmed, Advocate
for the petitioner.

Mr. Karan Veer Singh, Sr.DAG, Haryana.

Mr. Aazam Khan, Advocate
for the complainant/respondent No.2.

SUBHAS MEHLA, J (Oral):

1. Petitioner has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.271, dated 24.07.2024, under Sections 140(3), 115, 127(2) of BNS, 2023 (Section 25 of Arms Act mentioned in impugned order), registered at Police Station Sadar Nuh, District Nuh, Haryana (Annexure P-1).

2. Learned counsel for the petitioner submits that petitioner has been falsely implicated on the basis of statement of complainant. There is nothing on record to show the involvement of petitioner in the alleged crime. Now the matter has been compromised with the complainant and the complainant has no objection in case anticipatory bail is granted to the petitioner. Therefore, the accused is not required for any purpose by the police.

3. On the other hand, learned State counsel has opposed the



prayer made on behalf of the petitioner and submitted that petitioner along with co-accused abused the complainant, beaten him and snatched money from his pocket. Accused also gave a blow of butt of gun on the complainant forehead and a knife blow on his hand. As such petitioner is not entitled to the relief prayed for.

3. Mr. Aazam Khan, Advocate, appeared on behalf of the complainant and filed Power of Attorney. The same is taken on record.

4. Heard.

5. As per the prosecution, the petitioner is involved in the alleged crime of abducting, committing, robbing and giving beatings to the complainant/victim. The offences are non-compoundable. Petitioner along with co-accused intercepted the complainant in white colour vehicle Wagon-R car. They forcibly dragged him into the vehicle. Petitioner along with co-accused abused the complainant and took Rs.35,800/- from his pocket. One accused bearing black T-shirt gave a blow on the complainant's forehead and asked for more money of Rs.1 lakh . They repeatedly beat him and gave knife blow on complainant's hand and then dropped him near Nalhar Medical College.

6. In this view of the matter, the allegations against the petitioner are serious in nature as they kidnapped the complainant and took his money. The plea of compromise with complainant is not tenable keeping in view the seriousness of offence. The manner in which the offence has been committed does not entitle the petitioner to be released on anticipatory bail. The custodial interrogation to unearth the source from where the weapon of offence i.e. gun and knife were received. Moreover, the antecedents of the petitioner are not clean and he is involved in other cases of similar nature also. The Supreme Court in case **“C.B.I. Vs. Anil**



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Sharma”, 1997(4) RCR (CrI.)268, observed that custodial interrogation is qualitatively more elicitation oriented than question a suspect who is on anticipatory bail, in a case like this interrogation of suspect person is of tremendous advantage in getting relief.

7. In view of the above observation, the petitioner does not deserve the concession of bail. No extraordinary circumstances exist which would entitle the petitioner/accused to be released on anticipatory bail. The application in hand being meritless, is hereby dismissed.

(SUBHAS MEHLA)
JUDGE

13.08.2025
monika

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