



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.49445 of 2024
Date of decision: 29.01.2025

SANJAY ALIAS BHAIRU

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Deepak Jaglan, Advocate for
Ms. Supriya Garg, Advocate for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.215, dated 14.9.2024 at Police Station Ateli, District Mahendergarh, Haryana, under Section 25 of Arms Act, 1959.

2. Vide order dated 01.10.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 01.10.2024, passed by this Court, reads as under:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.215, dated 14.9.2024 at Police Station Ateli, District Mahendergarh, Haryana, under Section 25/54/59 of Arms Act, 1959.

The FIR was lodged pursuant to receipt of secret information by the police to the effect that Sanjay @ Bhairu (petitioner) was possessing a country made pistol and had concealed the same in a room built in his house. Pursuant to

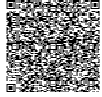


receipt of said information, a raid was conducted at the house of the petitioner, where two ladies namely Sharmila wife of Krishan and Saroj @ Arju wife of Sanjay @ Bhairu were present. A search of the house was conducted and a country made pistol was found underneath mattress of a bed. The magazine of country made pistol was checked, but the same was found to be empty. It is further the case of prosecution that upon inquiry Saroj disclosed that the pistol had been brought by her husband Sanjay @ Bhairu.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the alleged country made pistol has been planted by the police itself. It has been submitted that the petitioner was not present in the house and it is only two ladies, who were present, and it was very convenient for the police to have planted the said pistol. Learned counsel further submitted that, in any case, as per the case of prosecution itself, there were two ladies present in the house including the wife of the petitioner and since the pistol was found from a bedroom, it cannot be said with certainty that it is the petitioner, who had kept the said pistol inasmuch as there were other occupants of the house as well including two ladies.

Notice of motion for 29.1.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when



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called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Status report dated 15.01.2025 filed on behalf of respondent-State be tagged at appropriate place.

4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 29.01.2025 and he is not required for custodial interrogation.

5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

29.01.2025

Jyoti-IV

(MANISHA BATRA)

JUDGE

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