

CRM-M-49270-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-49270-2025
Decided on: 27.11.2025

Balram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Deepak Singh Saini, Advocate
for the petitioner.
Mr. Varun Gupta, DAG 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 FIR No.147 dated 16.05.2024, under Sections 323, 325, 392, 394, 397, 427, 506, 34 IPC at PS Manesar, District Gurugram.

2. On 09.09.2025, following order was passed:
“(i) 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Balram, aged about 33 years	147	16.05.2024	323, 325, 392, 394, 397, 427, 506, 34 of IPC, 1860	Manesar	Gurugram

(ii) As per the allegations, on 16.05.2024 at about 12:20 a.m. (night time), the complainant – Gaurav, along with his friend Vikram, was travelling in his car bearing registration No. HR26-ED-2708, when some persons on a motorcycle intercepted them and threatened the complainant while holding wooden dandas



and iron pipes. It is alleged that they were beaten up, but their names were not disclosed at that time. Subsequently, the accused persons took away the complainant's car. The complainant dialed police helpline No.112, pursuant to which he was admitted to Bilaspur Astha Hospital.

It is further alleged that, on making inquiry, it came to light that one of the assailants was "Sethi," resident of village Kukdaula, who had snatched the car key and taken away the vehicle. A gold chain weighing about 2 tolas was also lying in the car. The incident, which occurred more than a year ago on 16.05.2024, led to the involvement of the petitioner on the basis of a disclosure statement dated 17.05.2024 (Annexure P-5) made by co-accused Parveen Kumar.

(iii) Learned counsel for the petitioner, while referring to the disclosure statement (Annexure P-5), submits that even if the contents of said disclosure statement are taken to be true, the only allegation against petitioner 'Balram' is that he was sitting on the rear seat of motorcycle No. HR26-DC CRM-M-49270-2025- 2 9950. No overt act has been attributed to him. It is not alleged that the petitioner was armed with any weapon or that he issued any threat.

Further argues that case has been subsequently improved against the petitioner by involving him in the instant case. However, the allegations qua the petitioner are totally false, as the same are not supported with any other piece of evidence.

(iv) Learned counsel further submits that merely on the basis of a disclosure statement, the burden will lie heavily upon the prosecution to prove the charges against the petitioner, including his identity. Moreover, the petitioner is not alleged to have indulged in any other activity involving looting, robbery, or dacoity.

Thus, it is submitted that the petitioner is ready to join investigation and cooperate with the investigating agency, provided he is protected from arrest.

(v) List again on 27.11.2025.

(vi) 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.).

(vii) 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. "



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3. Continuing his submissions, learned counsel for the petitioner contends that in compliance to the order dated 09.09.2025 passed by this Court, petitioner has joined the investigation.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

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 09.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he does not possess any part.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

27.11.2025
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Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES/NO~~