

2025:PHHC:160886



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56331-2025

Amir Khan

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: November 19, 2025

Date of Uploading: November 19, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vivek Sharma, Advocate and
Mr. Pushp Jain, Advocate for the petitioner.

Ms. Priyanka Sadar Thakur, Senior DAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the BNSS for grant of concession of anticipatory bail to the petitioner in case FIR No.116 dated 07.08.2025, under Sections 305 & 331(4) of the BNS, registered at Police Station Alewa, District Jind.

2. On 03.10.2025, the following order was passed:

“Apprehending his arrest in FIR No.116 dated 07.08.2025 registered for offences punishable under Sections 305, 331(4) of BNS, at Police Station City Alewa, District Jind; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

*Counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated into the FIR in question on account of his antecedents, the petitioner has been nominated primarily on the basis of disclosure statement of the co-accused & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar** and another, AIR 2014 SC 2756 and **Mohd. Asfak Alam Vs. The State of Jharkhand**, 2023 AIR SC 3610.*

Notice of motion.

On the strength of advance notice; Mr. Vishal Singh, AAG, Haryana has caused appearance on behalf of the respondent-State.

Adjourned to 29.10.2025.

The petitioner is directed to appear before the Investigating Officer on 08.10.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

2.1. Thereafter, on 04.11.2025, following order was passed:

“Learned State counsel submits that the petitioner is required for further interrogation.

The petitioner is directed to appear before the concerned Investigating Officer in the concerned Police Station on 10.11.2025 at 11:00 A.M. and re-join investigation and cooperate therein.

Put up on 19.11.2025.”

3. Learned State counsel (on instructions) has stated that the petitioner has indeed joined investigation, but his custodial interrogation is required to effect recovery of motorcycle in question.

4. Having heard learned counsel for the parties and upon perusal of the record; especially in view of the factum of the petitioner having joined investigation and his custodial interrogation is not being sought for except for effecting recovery of motorcycle in question; the interim order dated 03.10.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

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, 2023 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

November 19, 2025

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