

2025:PHHC:172306



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58359-2025

Vishal

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: December 10, 2025

Date of Uploading: December 10, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Munish Behl, 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
Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (earlier Section
438 of Cr. P.C.) for grant of concession of anticipatory bail to the petitioner
in case FIR No.0144 dated 08.08.2025, under Sections 3 & 4(1) of the
Haryana Prevention of Public Gambling Act, 2025 & Section 112 of the
BNS, 2023, registered at Police Station Saha, District Ambala.

2. On 16.10.2025, the following order was passed:

*“Apprehending his arrest in FIR No.0144 dated 08.08.2025
registered for offences punishable under Sections 3 & 4(1) of the Haryana
Prevention of Public Gambling Act, 2025 and Section 112 of BNS 2023 at
Police Station Saha, District Ambala; the petitioner has preferred this
petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023
seeking pre-arrest bail.*

*At the outset, learned counsel for the petitioner has brought to the
notice of this Court that on account of inadvertence the petition in hand
has been described as ‘first petition’ whereas it is the ‘second plea’ on
behalf of the petitioner seeking pre-arrest. Learned counsel has drawn
attention of this Court on the order dated 01.10.2025 passed in CRM-M-*

55778-2025 (copy whereof has been appended as Annexure P-4 with the present petition).

Counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated into the FIR in question, the mandatory provisions as enunciated in law have not been complied with while carrying out search/seizure & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On the strength of advance notice; Mr. Tarun Aggarwal, Addl.AG, Haryana has entered appearance on behalf of the respondent-State of Haryana.

Adjourned to 20.11.2025.

The petitioner is directed to appear before the Investigating Officer on 27.10.2025 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 20.11.2025, the following order was passed:

“Learned counsel appearing for the petitioner submits that the petitioner could not join investigation, in terms of order dated 16.10.2025 earlier passed by this Court, on account of some mis-communication.

In the interest of justice, another opportunity is afforded to the petitioner to do so. The petitioner is now directed to appear before the concerned Investigating Officer in the concerned police station at 11:00 AM on 22.11.2025 and join investigation in terms of above said order.

List on 10.12.2025.

Interim order to continue.”

3. Learned State counsel (on instructions) has stated that the petitioner has indeed joined investigation and his custodial interrogation is not required.

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 by the State, the interim order dated 16.10.2025 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

December 10, 2025

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No