



CRM-M-58482-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220/2

CRM-M-58482-2025
Decided on: 11.12.2025

Hemant Kumar
.....Petitioner

Versus

State of Haryana
.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Hemant Kumar, Advocate for
Mr. Dheeraj Narula, Advocate
for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. 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.309 dated 05.07.2024, under Sections 420, 467, 468, 471 IPC at PS City Fatehabad, District Fatehabad.

2. On 16.10.2025, 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
Hemant Kumar, aged about 34 years	309	05.07.2024	420, 467, 468, 471 of IPC	City Fatehabad	Fatehabad

(ii) Case of the prosecution is that an FIR was registered following the elopement of the co-accused Reena Rani’s daughter with one Abhishek. Co-accused Reena Rani has lodged an FIR No.197 dated 11.05.2024, stating that her daughter had

**CRM-M-58482-2025**

run away with Abhishek from their residence in Fatehabad on 10.05.2024. It was further alleged that date of birth of her daughter is 02.08.2008. In support of her claim, co accused Reena Rani submitted a birth certificate before the Trial Court at Fatehabad. However, Sub-Inspector Rajbala, in her report dated 25.06.2024, stated that birth certificate submitted by her was forged.

Since no explanation was offered by the co-accused Reena Rani regarding the alleged forgery, present FIR was registered against her, pursuant to the order dated 04.07.2024 passed by the Court of learned Chief Judicial Magistrate, Fatehabad.

(iii) Counsel for the petitioner contends that name of the petitioner is not mentioned in the FIR. However, during the course of investigation, when co-accused Jagdish was arrested, petitioner was implicated in the present case through the disclosure statement of Jagdish. It was alleged that petitioner had recommended co-accused Reena Rani to approach one Ashu.

It is further submitted that there is no documentation, signature, or any other material on record to establish any direct involvement of the petitioner in the alleged offence.

(iv) Learned counsel for the petitioner also points out that co-accused Reena Rani has already been granted the concession of interim anticipatory bail by this Court, vide order dated 08.10.2025, passed in CRM-M-54914 2025, and the said petition is now fixed for 11.12.2025 for further consideration.

Additionally, it is submitted that petitioner is willing to join the investigation and undertake to cooperate fully with the investigating agency, provided protection from arrest is granted by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

(v) Notice of motion.

(vi) On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

(vii) Adjourned to 11.12.2025.

To be heard along with CRM-M-54914-2025.

(viii) 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.).

(ix) Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would

**CRM-M-58482-2025**

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. ”

3. Learned counsel for the petitioner contends that in compliance to the order dated 16.10.2025 passed by this Court, the 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 16.10.2025 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 would submit an affidavit, disclosing the fact that he does not possess any passport.

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

11.12.2025

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES~~/NO