

2025:PHHC:172915



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-59922-2025

Anand Kumar

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: December 11, 2025

Date of Uploading: December 11, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Nipun Bhardwaj, Advocate for
Mr. Mayank Bajaj, Advocate for the petitioner.

Mr. Tarun Aggarwal, Additional AG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of concession of anticipatory bail to the petitioner in case FIR No.0033 dated 09.09.2025, under Sections 447, 420 & 120 of IPC and Section 13(1)(d) of PC Act, 1988, registered at Police Station ACB Gurugram.

2. On 04.11.2025, the following order was passed:

“Learned counsel submits that the petitioner aged 71 years old, working as Superintending Engineer and had since retired. The offence is stated to have been committed in the year, 2005 and the FIR has been registered in 2025, even though the complaint was received in the year, 2019. He has no concern with M/s Vatika Private Ltd. as earlier he had cancelled the permission vide letter dated 31.01.2011. He being made a scapegoat by the authorities. Co-accused Rani Kant Pahuja, who was

working as Executive Engineer, has since been granted interim anticipatory bail by this Court vide order dated 03.10.2025, Annexure P-3. The petitioner is not involved in any other case and is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Mr. B.S. Saroha, DAG Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 13.11.2025. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 482 (2) BNSS.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 11.12.2025.”

3. Learned State counsel (on instructions from DSP Gaurav Fogat) 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 04.11.2025 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 11, 2025

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No