



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212+217

CRM-M-61831-2025(O&M);
CRM-M-51924-2025(O&M)
Date of decision: 03.12.2025

1. CRM-M-61831-2025(O&M)

Karambir @ Karam Veer Rawat	...Petitioner
VERSUS	
State of Haryana	...Respondent

2. CRM-M-51924-2025(O&M)

Daya Chand	...Petitioner
VERSUS	
State of Haryana	...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Kartar Singh and Mr. Sudesh Kumar, Advocates,
for the petitioner in CRM-M-61831-2025.

Mr. Rahul Bhargava and Ms. Komalpreet Kaur, Advocates,
for the petitioner in CRM-M-51924-2025.

Ms. Chhavi Sharma, Astt. AG, Haryana.

Ms. Suruchi Suri, Advocate (through V.C.) and
Mr. Abhinav Punj, Advocate, for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

Both these petitions bearing no. CRM-M-61831-2025 and CRM-M-51924-2025 have been instituted by two different accused persons, one for seeking anticipatory bail (Karambir @ Karam Veer Rawat) and the other for seeking regular bail (Daya Chand) and arising out of the same case bearing FIR No. 234 dated 26.06.2025, registered under Sections 303, 314, 316(3), 316(4), 318(3), 318(4), 323, 329, 61 and 62 of the Bharatiya Nyaya

Sanhita, 2023, at Police Station Sector-8, Faridabad, are being decided by this common order.

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2. The matter came up for hearing on 04.11.2025 whereafter recording the contentions of the petitioner, the following order was passed:-

“Learned counsel appearing on behalf of the petitioner inter alia contends that as per the case of the prosecution, the tyres were being removed in a clandestine manner from the warehouse of the Company. He contends that the removal of the goods was by Naresh Gautam, Ghanshyam and Mohit Bhadana alongwith the collusion of the gate supervisor namely Daya Chand. It is submitted that the allegations against the petitioner, as per the disclosure, are that the stolen articles used to be further sold in the market through the involvement of the petitioner and that the proceeds used to be received from him. He further contends that recovery of 100 tyres is to be effected from the petitioner, however, it is contended that the same was in relation to earlier incident. He further contends that there is no allegation of any other incident of removal of tyres from the warehouse of the Company. He further contends that the petitioner is ready and willing to join the investigation as and when called for and to extend all cooperation to the Investigating Agency.

Notice of motion.

Dr. (Ms.) Malvika Singh, DAG, Haryana enters appearance and accepts notice on behalf of respondent-State and prays for some time to complete instructions and file reply, if so advised.

Ms. Suruchi Suri, Advocate enters appearance through video conferencing on behalf of the complainant by filing memorandum of appearance.

Adjourned to 03.12.2025.

Reply, if any, be filed on or before the adjourned date with copy in advance to the learned counsel opposite.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of the petitioner joining the investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on his furnishing of bail/surety bonds to the satisfaction of the arresting officer/investigating officer. The petitioner(s) shall also abide by the conditions as specified under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023.”

3. Counsel for the petitioner has reiterated his argument as above and submits that he has joined investigation in the case. There is no material to link the petitioner with commission of the above offence and he is not involved in removal of the tyres. He is being nominated as accused only for being related to the driver of the truck. He submits that it is at best, a case for attempted theft for which custodial interrogation of the petitioner is not necessary.

4. Status report by way of an affidavit of Varun Kumar, HPS, Assistant Commissioner of Police, Crime-II, Faridabad has been filed on behalf of the respondent-State by the State Counsel today in the Court, wherein it is averred that the FIR in the present matter was registered on the basis of a complaint submitted by Abhinav Sharma, Plant Head–HR (Ballabgarh) of M/s Goodyear India Limited. The complainant reported the commission of offences including theft, cheating, dishonest misappropriation of property, fraud, criminal breach of trust and criminal trespass committed by Daya Chand (petitioner in CRM-M-51924-2025)

along with co-accused Manish, Satveer, Arun, Saurabh Paswan, Komal @ Akhil and certain unidentified persons. All such accused were stated to be employees of vendor firms with whom the complainant-company had contractual arrangements for rendering security services, warehouse maintenance and inventory management. It is alleged that the said accused persons, acting in concert, unlawfully removed tyres from the warehouse/yard of the complainant-company. The report further indicates that a truck bearing registration No. NL-01-AA-5544 was loaded with the said tyres and cleared for exit by individuals responsible for safeguarding the company's property. At approximately 11:33 p.m. on 24.06.2025, when the truck attempted to exit the premises, it was stopped at the gate by Security Guard Jaiveer Singh, at which point the illegal activity was detected. This incident culminated in the lodging of FIR No. 234 dated 26.06.2025.

5. The state counsel contends that Daya Chand, who was employed as a Security Supervisor, was arrested in the present case on 27.06.2025 after sufficient incriminating material had been gathered against him. During interrogation, he suffered a disclosure statement in which he admitted that he, along with co-accused Nitesh, Ghanshyam and Naresh Gautam, had earlier committed a theft approximately twenty days prior to the present incident, involving 100 Goodyear tractor tyres, using the same truck. It was further disclosed by him that Naresh and Ghanshyam had paid him a sum of ₹4,00,000, out of which he had given ₹1,00,000 to co-accused Nitesh. Co-accused Nitesh was subsequently arrested on 29.06.2025 and during interrogation, he admitted to having assisted in the thefts committed on 09.06.2025 and 24.06.2025 and to having received ₹1,00,000 as his share of the proceeds. While recovery of ₹1,87,000 was effected from Daya

Chand, a sum of ₹52,000 was recovered from co-accused Nitesh, being the remaining proceeds of the earlier theft committed on 09.06.2025.

6. The investigation was thereafter transferred to the Crime Branch, Uncha Gaon, Faridabad, whereupon SI Jasbir Singh took over the inquiry. During the course of further investigation, Naresh Gautam was arrested on 21.07.2025 and in his disclosure statement he revealed that he, along with Ghanshyam, Mohit Bhadana and Karambir @ Karam Veer Rawat (petitioner in CRM-M-61831-2025), had jointly committed both thefts i.e., the theft dated 09.06.2025 as well as that dated 24.06.2025. He further disclosed that the truck bearing registration No. NL-01-AA-5544 had been driven by Bansi Lal @ Bansi, who is the brother-in-law of the petitioner Karambir @ Karam Veer Rawat. Subsequently, accused Ghanshyam was arrested on 20.09.2025 and in his disclosure statement he admitted that he, along with Karambir @ Karam Veer Rawat, Mohit and Naresh, had jointly purchased the aforesaid truck in September 2023 from one Jitender Gautam. A sum of ₹65,000/- was recovered from him as part of the proceeds of the sale of the 100 stolen tyres pertaining to the theft committed on 09.06.2025. Eventually, accused Mohit Bhadana was also arrested on 21.10.2025. In his disclosure statement, he likewise admitted his involvement in both thefts along with Naresh, Ghanshyam and the petitioner Karambir @ Karam Veer Rawat. He further acknowledged having received a sum of ₹1,00,000/- as his share from the earlier theft, though recovery of the said amount is still pending. The Investigating Agency thereafter carried out a detailed and comprehensive investigation, during which call data records (CDRs) for both nights i.e. 09.06.2025 and 24.06.2025 were obtained and analysed. The CDRs prima facie establish the presence of

Bansi Lal @ Bansi, brother-in-law of the petitioner Karambir @ Karam Veer Rawat, at the spot during the commission of the offences. The records further reveal that the mobile phone of Karambir @ Karam Veer Rawat was active throughout the nights in question and that numerous calls were exchanged inter se between the accused persons, indicating that they remained in continuous communication during the execution of the thefts. Further, it has also emerged from the disclosure statements of Naresh Gautam, Mohit Bhadana and Ghanshyam that they had committed multiple thefts of Goodyear tractor tyres between March 2024 and November 2024, using the same truck involved in the present offence. A separate FIR No. 365 dated 10.09.2025 was registered under Sections 305, 306, 314, 316(2), 316(3), 317(4), 318(4), 323, 329(3), 330(2), 61 and 62 of the Bharatiya Nyaya Sanhita, 2023 in respect of those thefts. Significantly, the toll records of the truck bearing Registration No. NL-01-AA-5544 have been found to coincide with the dates and timings of the alleged thefts/removal of goods, thereby corroborating the disclosures made by the co-accused and further linking the vehicle and consequently its users to the series of thefts committed during the aforesaid period. Further, the call detail records reveal that the petitioner-Karambir @ Karam Veer Rawat had an extensive pattern of communication with the co-accused. The records show 467 call exchanges between the petitioner and Ghanshyam and Bansilal @ Bansi during the period from September 2024 to July 2025; over 200 calls with Naresh Gautam and more than 50 calls with Mohit Bhadana. When confronted with these details, the petitioner denied knowing any of the said persons except Ghanshyam and Bansilal @ Bansi and attempted to explain the volume of calls by stating that Bansilal @ Bansi is his brother-in-law and

that he contacted Ghanshyam only in connection with watering his agricultural fields.

7. State Counsel further submits that, notwithstanding the petitioners' assertion that they have no connection with the truck in question, the statement of Jitender Gautam has been recorded, wherein he has categorically stated that the accused persons had jointly purchased the said truck in 2023 after making payment for the same. It is further contended that the theft of tyres from the company's warehouse was facilitated through the deliberated involvement of Manish Kumar, the Warehouse Supervisor, who was responsible for ensuring the safe custody of the tyres. Naresh Gautam, functioning as a Labour Supervisor in the complainant-company, arranged and deployed the requisite labour to assist in the removal of the tyres, whereas Daya Chand, who was the Security Supervisor, deliberately allowed the stolen tyres to pass through the exit gate in collusion with other staff members. The CCTV footage recovered from the warehouse premises corroborates the movement of the truck during the relevant period and further substantiates the prosecution case. State Counsel thus contends that the entire chain of circumstances stands fully established and demonstrates that the theft was a well-planned, coordinated and meticulously executed operation, carried out by the accused persons acting in close concert and continuous communication both prior to and at the time of, commission of the offence, thus, clearly indicating their active participation and intentional collusion in the criminal conspiracy. Learned State Counsel further submits that custodial interrogation of the petitioner Karambir @ Karam Veer Rawatis indispensable for the purpose of ascertaining the manner in which the stolen tyres were disposed of, identifying all other beneficiaries and

determining the proportion in which the proceeds of crime were distributed among the conspirators. It is contended that unless the petitioner is subjected to custodial interrogation, the Investigating Agency would be unable to unearth the complete chain of events and any such gap in investigation would materially prejudice and weaken the prosecution case.

8. I have heard learned counsel for the respective parties and have gone through the documents appended along with the petition (*CRM-M-61831-2025*) as well as the status report filed by the respondent-State.

9. Invariably, the evidence collected by the Investigating Agency so far establishes an incriminating link connecting the petitioner Karambir @ Karam Veer Rawat with the commission of the offence and demonstrates his active participation therein. What is attempted to be a dismissive allegation and as a mere coincidence by the petitioner are, in truth, circumstances of far too compelling and convergent a nature to be ignored. The corroboration of the allegations from ancillary material such as the call detail records, toll receipts and the disclosures of co-accused, clearly reveal a co-ordinated involvement of all accused persons. The present case is not one of a spontaneous offence committed on the spur of the moment. Rather, it is one involving participation of different individuals at different stages, both for facilitating the theft, transportation and for disposal of the stolen property and distribution of proceeds of crime. Such an offence, warrants a thorough investigation. If the petitioners were to be Cloaked with the protective gear of anticipatory bail at this stage, the hands of the investigating agencies would be tied and the complete chain of events, to the full extent of the conspiracy, and the identities of all the beneficiaries may not come to light.

Such a protection, thus, would not be extended to a person who has involved

himself in a deliberately orchestrated and systematically executed offence. Creation of a maze of events and a long chain of people itself reflects on the expanse of the crime.

10. Now, adverting to the probabilities sought to be projected by the petitioner-Karambir @ Karam Veer Rawat, I am of the opinion that such probabilities would be wholly insufficient to outweigh and ignore the evidence collected so far by the Investigating Agency which not only establishes the co-ownership of the petitioner over the truck used for the commission of the offence, but also demonstrates his continued supervision and control over the same, as is evident from the fact that the vehicle was being driven on both occasions by his brother-in-law and the petitioner had made multiple calls to him and other co-accused during the nights of offence as well. Furthermore, the movement of the truck stands duly established through toll records, CCTV footage and related material and these circumstances, when viewed cumulatively, present a chain of events that cannot be brushed aside on the basis of speculative probabilities advanced by the petitioner.

10. Under the given circumstances, notwithstanding that the petitioner did join the investigation, I find that the manner in which the offence has been committed clearly demonstrates a higher degree of planning, coordination and participation attributable to petitioner-Karambir @ Karam Veer Rawat, as a part of a well-organized crime, there are multiple structured participation and involvement. The petitioner thus does not merit the concession of pre-arrest bail, where the nature of the allegations and the evidence already collected would necessarily warrant his custodial interrogation. I find support for the aforesaid conclusion from the judgment

of the Hon'ble Supreme Court in '***P. Chidambaram v. Directorate of Enforcement***', Criminal Appeal No. 1340 of 2019 (arising out of SLP (Crl.) No. 7523 of 2019), wherein the Apex Court has emphasised that custodial interrogation may be indispensable where the investigation so demands and the grant of anticipatory bail in such circumstances may impede the unravelling of the truth. The relevant part thereof is extracted as under:-

“72. Ordinarily, arrest is a part of the process of the investigation intended to secure several purposes. There may be circumstances in which the accused may provide information leading to discovery of material facts and relevant information. Grant of anticipatory bail may hamper the investigation. Pre-arrest bail is to strike a balance between the individual's right to personal freedom and the right of the investigating agency to interrogate the accused as to the material so far collected and to collect more information which may lead to recovery of relevant information.....

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81. Grant of anticipatory bail at the stage of investigation may frustrate the investigating agency in interrogating the accused and in collecting the useful information and also the materials which might have been concealed. Success in such interrogation would elude if the accused knows that he is protected by the order of the court.....”

11. Accordingly, the petition CRM-M-61831-2025 is dismissed.

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12. Insofar as the co-accused, Daya Chand (petitioner in CRM-M-51924-2025), is concerned, counsel submits that he was taken into custody on 27.06.2025 and has already undergone actual custody of more than five months. It is further contended that the investigation in the present case now stands concluded and recovery of a sum of ₹1,87,000/- out of the total ₹4,00,000/- received by him as his share from the theft of tyres dated 09.06.2025 has already been effected. He also submits that the petitioner-Daya Chand is not involved in any other criminal case and the offence being triable by a Magistrate, the trial is likely to take considerable time to conclude.

13. Learned State Counsel does not dispute the aforesaid aspects, though an attempt is made to contend that the petitioner was a co-conspirator and that without his active participation, the property could not have been removed from the premises of the the complainant-company.

14. I have heard learned counsel for the respective parties and have gone through the documents appended along with the petition (CRM-M-51924-2025).

15. Taking into consideration the aforesaid facts and circumstances including the clear criminal antecedents of the petitioner, the recovery having been effected from him, investigation qua the petitioner being complete and the final report having been filed coupled with the fact that the trial being a magisterial trial is likely to take a long time to conclude and also bearing in mind the period of actual custody undergone by the petitioner-Daya Chand (petitioner in CRM-M-51924-2025), I deem it appropriate to allow the petition bearing CRM-M-51924-2025.

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16. Accordingly, the petition bearing CRM-M-51924-2025 is ***allowed*** and the petitioner-Daya Chand (petitioner in CRM-M-51924-2025) is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

17. It is made clear that the petitioner in CRM-M-51924-2025 shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

18. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

19. Pending application(s), if any, shall stand disposed of.

20. A copy of this order be placed on the file of the connected case.

03.12.2025

Sumit Gusain

(VINOD S. BHARDWAJ)
JUDGE

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