



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

204

CRM-M-64554-2024

Date of decision : 19.02.2025

Vizender Kumar

....Petitioner

V/S

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Manoj Pundir, Advocate with
Mr. Randeep Singh, Advocate for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

Mr. Sanyam Khetarpal, Advocate for the complainant.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting anticipatory bail in case FIR No.209 dated 25.10.2024 registered under Sections 3(5), 62, 74, 127(2), 329(3) & 351(2) of Bharatiya Nyaya Sanhita, 2023 at Police Station Buria, District Yamuna Nagar.

2. On the last date of hearing i.e. 19.12.2024, the following order was passed :-

“1. Learned counsel for the petitioner inter alia contends that the petitioner was having a joint possession of the land which is allegedly purchased by Smt. Urmila Devi (mother-in-law of the complainant). A false case has been registered and thereafter, even a suit for possession by way of partition of the land (Annexure P-2) was filed by Smt. Urmila Devi.



2. *Since the complainant is not impleaded as a party to the petition, she is ordered to be impleaded as respondent No. 2 in this petition. The amended memo of parties be filed by learned counsel for the petitioner within 10 days from today.*

3. *Notice of motion.*

4. *Having received advance copy of the petition, Mr. Kirpal Singh Thakur, A.A.G., Haryana, accepts notice on behalf of respondent No. 1 and seeks time to file reply.*

5. *Notice to respondent No. 2 be issued for 19.02.2025, subject to the costs of ₹30,000/- as litigation expenses by way of a demand draft in her favour be deposited by the petitioner in the Registry of this Court, within a period of two weeks from today, which shall be handed over to respondent No. 2 when she/her counsel appears before this Court.*

6. *In the meanwhile, in the event of the arrest of the petitioner, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-*

- (i) *That the petitioner shall further make himself available for interrogation by a police officer as and when required.*
- (ii) *That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.*
- (iii) *That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.*

7. *It is made clear that there are no observation regarding the possession of land.”*

3. Learned State counsel has filed reply by way of an affidavit of Sh. Rajeev Miglani, HPS, Deputy Superintendent of Police, Yamuna



Nagar-V (Jagadhri), on behalf of respondent-State, in the Court which is taken on record. In para 8 of the said reply it has been stated that the petitioner has refused to cooperate with the Investigating Officer and also did not identify the place of occurrence. Para 8 of the reply reads as under :-

“8. That in view of submissions made above, it is submitted that petitioner did not cooperate the investigating officer as he refused to cooperate the investigating officer and also did not identify the place of occurrence. The petitioner has not disclosed about the tractor which was used in the offence and he has also not disclosed the name and address of the person whose tractor was used in the occurrence. So custodial interrogation of the petitioner is necessarily required to get identified the place of occurrence, to recover the tractor which was used in the offence to damage the crop.”

4. Mr. Sanyam Khetarpal, Advocate has put in appearance on behalf of the complainant and filed his power of attorney in the Court which is taken on record. He submits that in terms of the last order passed by this Court, the litigation expenses of Rs.30,000/- has also not been paid by the petitioner.

5. Since the petitioner has not complied with the order dated 19.12.2024 and has not cooperated in the investigation, therefore, the present petition is dismissed.

19.02.2025

kothiyal

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No