



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

**CRM-M-67133-2025
Date of decision: 01.12.2025**

SAHID

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Nafees Ahmad Khan, Advocate for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. Present petition is filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.651 dated 25.09.2025 under Section 305 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered at Police Station Gurgaon Sadar, District Gurugram.

2. Brief facts of the prosecution are that on 25.09.2025, complainant, Paramjit Singh lodged a complaint stating therein that on 24.09.2025, he parked his Swift Car bearing temporary No.T0925HR3207BW in front of Grey Sky Hotel in the night and its two tyres were stolen away by two thieves, which he came to know after checking the CCTV footage of the said hotel. Hence, the present FIR was registered.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present FIR; though the petitioner is involved in other cases regarding the theft of electricity but he has not committed any crime as alleged; there is no direct evidence against the petitioner to connect him with the alleged crime and the petitioner is ready to



join investigation. As such, learned counsel prayed for anticipatory bail to the petitioner.

4. Upon advance notice, learned State counsel appeared on behalf of respondent-State and opposed the prayer made by the petitioner by submitting that the petitioner is a habitual offender as he is involved in 09 more cases; as per the material collected by the investigating agency during investigation, the petitioner was actively involved in the present case and has been nominated on the basis of CCTV footage and the petitioner is required for custodial interrogation.

5. Heard.

6. Keeping in view the submissions made by learned State counsel and taking into consideration the fact that the antecedents of the petitioner that he is involved in 09 more cases regarding theft of electricity items and his custodial interrogation for recovery of stolen articles is required, the petitioner is not entitled to the relief of anticipatory bail, in view of law laid down by the Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806***' decided on 03.08.1997, wherein it has been held as under:-

“....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of



the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders.”

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

December 01, 2025
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(SUBHAS MEHLA)
JUDGE

- (i) Whether speaking/reasoned

Yes/No
- (ii) Whether reportable

Yes/No