



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

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CRM-M-68168-2025 (O&M)
Date of Decision:- 03.12.2025

Ikram ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Ms. Harshita Kalra, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.108 dated 08.08.2025, registered under Sections 115, 121(1), 132, 238, 324(3), 351(2) of BNS, Sections 27, 29 of the Wild Life (Protection) Act, 1972 and Sections 32 & 33 of the Indian Forest Act, 1927, at Police Station Partap Nagar, District Yamuna Nagar.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case as he has not committed any such offence. It is further contended that co-accused Jamshed @ Jammu has been granted the benefit of interim anticipatory bail by a Coordinate Bench of this Court vide order dated 21.11.2025 passed in CRM-M-66277-2025. Offences are triable by Magistrate and except the present case, the petitioner is not involved in any other case, thus, learned counsel prayed for grant of anticipatory bail to the petitioner.



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3. Notice of motion.

4. Mr. Aditya Pal Singla, AAG, Haryana, puts in appearance as advance copy of petition had been served to respondent-State and opposed the prayer made by learned counsel for the petitioner by submitting that name of the present petitioner is specifically mentioned in the FIR and he played an active role. He along with co-accused attacked the officials of Forest Department and damaged vehicle of the department bearing registration No.HR-22GV-2707. It is further contended that the petitioner is required for custodial interrogation and as far as parity is concerned, only interim relief has been granted to co-accused and his bail has not been made absolute, and reading of para 5 of the order dated 21.11.2025 (Annexure P-2) shows that name of co-accused was not mentioned in the FIR, therefore fact that present petitioner is on parity with co-accused is not a true fact.

5. Heard.

6. Keeping in view the contentions raised by learned State counsel that there is specific allegation against the present petitioner; his name is mentioned in the FIR; he played an active role for causing damage to the official vehicle of the Forest Department; and also attacking the official of the said department, he is required for custodial interrogation to ascertain the identity of other persons.

7. Moreover, Hon'ble Supreme Court has emphasised the importance of custodial interrogation in case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806' decided on 03.08.1997**, as under:-

“....custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is well ensconced



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with a favourable 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.”

8.

Taking into account of the facts of the present case and the role of the present petitioner, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
9.

Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

03.12.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No