

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

2026:PHHC:063593



(107)

CRM-M-11107-2026

Decided on: 27.04.2026

Uploaded on: 27.04.2026

Pawan Kumar

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Aditya Sanghi, Advocate for the petitioner (s).

Ms. Mahima Yashpal Singla, Senior DAG, Haryana.

Mr. Prikshit Singla, Advocate for the complainant.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No.372 dated 14.11.2025 registered for offences punishable under Sections 316(2) and 318(4) of BNS 2023 at Police Station City Tohana, District Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

2. On 26.02.2026, the following order was passed:

“Apprehending his arrest in FIR No.372 dated 14.11.2025 registered for offences punishable under Sections 316(2) and 318(4) of BNS 2023 at Police Station City Tohana, District Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioner, inter alia, contends that the FIR in question arises out a business/commercial transaction; assuming arguendo, the prosecution version available at this juncture is taken to be correct, the petitioner was unable to pay

the money/gold ornaments due from him; the petitioner is suffering from a medical condition and remained hospitalized from 29.06.2025 to 28.07.2025, the petitioner is a man with clean antecedents & is willing to join investigation and cooperate therein as per law.

Notice of motion.

On the strength of advance notice; Ms. Mahima Yashpal Singla, Senior DAG, Haryana has entered appearance on behalf of the respondent-State of Haryana.

At this stage; Mr. Ravinder Kumar, Advocate has caused appearance on behalf of the FIR-complainant namely Jai Bhagwan and other victims namely Surender Kumar, Sadanand, Varinder Goyal, Jogesh, Ankit, Sanjay and Suresh.

Mr. Daljeet Singh Randhawa, Advocate has caused appearance on behalf of victims namely Amit Kumar and Nitin Kumar.

Adjourned to 09.03.2026.

The petitioner is directed to appear before the Investigating Officer on 28.02.2026 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel (on instructions from ASI Sohan) has submitted that the petitioner has joined investigation but his custodial interrogation is required for effecting the recovery of gold articles/money in question.

3.1. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that allegations raised against the petitioner are serious in nature and in case the petitioner is extended the concession of anticipatory bail, there is all the

likelihood that he may interfere with the investigation as also intimidate the witnesses and also the FIR-complainant.

4. Having heard learned counsel for the rival parties and upon perusal of the record; especially keeping in view the factum of the petitioner having joined investigation & cooperated therein and his custodial interrogation being sought for recovery of gold articles/money in question; this Court is inclined to confirm the order dated 26.02.2026.

4.1. *Ergo*, the petition in hand is allowed and the order dated 26.02.2026 is made absolute.

5. 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.

6. 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 or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

8. Pending application(s), if any, shall also stand disposed off.

27.04.2026

Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No