



CRM-M-31461-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31461-2025
Decided on: 23.03.2026

Tohid Khan.....Petitioner

Versus

State of Haryana.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Parveen Kumar, Addl. A.G., Haryana.

Mr. Aazam Khan, Advocate and
Mr. Saleem Ahmed, Advocate for the complainant.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Tohid Khan	76	27.04.2025	303, 318(4) of BNS	Dhauj	Faridabad Haryana

2. FIR in the present case was got registered by complainant-Aarif, which reads as under:

“I request that I am Arif son of Amin, resident of village Tikri KhedaDistrit Faridabad. On dated 25.03.2025, masonry work was going on at my house, so in the evening the mason asked me for money. I gave him the money and he left with his labour. During this time, Tohid S/O Shaukat came to my house at around 4 pm in the evening and took my phone and started playing games etc. At 6 pm, I took my phone back and got my



account checked by Akbar at the CSC centre with my phone and Aadhar card, then he told me that there are only Rs. 2913 rupees in my account. He told that there were 1,32,913/- rupees in your account on 24.03.25. but Today on dated 25.03.2025 Rs. 50,000/- 50,000/-20,000/- 10,000/- (total Rs. 1,30,000/-) have been deducted from your account. After this on 27.03.2025 I went to my bank ie. HDFC, Samaypur Branch, Faridabad and got my bank statement in which the amount has been transferred to some NAVI TECHNOLOGIE. I have full suspicion that Tauheed S/O Shaukat has frauded me. Please do the needful to get my money back. My bank account number and statement are encased with complaint. SD. Applicant AARIF MO 8920309354,”

3. After hearing learned counsel for the petitioner on

03.06.2025 following was recorded:

“ Learned counsel for the petitioner inter alia contends that a false case has been registered against the petitioner as the petitioner’s father lodged FIR No.20 dated 31.01.2025 against a close relative of the first informant. From the contents of the FIR, it is evident that the first informant claims to have handed over his mobile phone to the petitioner.

Notice of motion.

Mr. Aman Bahri, Additional Advocate General, Haryana, accepts notice on behalf of the State.

Adjourned to 31.07.2025.

In the meantime, in the event of arrest, the petitioner shall be released on the interim bail subject to furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 ”

4. From the FIR, as well as the contentions previously recorded, it appears that petitioner and the complainant were already known to each other, and that, under such belief, the mobile phone was handed over by the complainant himself to the petitioner. It is also to be considered whether the amount withdrawn from the complainant’s account is only ₹1,32,913/- (as mentioned in the FIR). Directions to join the investigation had already been issued vide order dated 03.06.2025.

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5. Considering the nature of the allegations and noticing the fact that both parties were known to each other, this Court does not find any substantial reason to subject petitioner to custodial interrogation merely on the basis of the allegations. Accordingly, present petition is allowed, and ad-interim bail order dated 03.06.2025 passed by this Court is hereby made absolute.

It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of one week from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.03.2026

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**