



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

103

CRM-M-31713-2026(O&M)

Date of decision: 29.05.2026

Akshay Kumar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Balraj Gujjar, Advocate for the petitioner.

Ms. Chhavi Sharma, DAG, Haryana (through V.C.).

VINOD S. BHARDWAJ, J. (Oral)

The present first petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner in case bearing FIR No.187 dated 21.04.2026 registered under Sections 305, 331(4) and 112 Bharatiya Nyaya Sanhita, 2023 at Police Station City Bhiwani, District Bhiwani.

2. The FIR in the present case has been registered on the complaint of one Sunil Kumari wife of late Sh. Surender Kumar resident Krishna Colony, Bhiwani, wherein she had averred that, she was out on the intervening night of 20/21.04.2026 and on coming back on 21.04.2026, she found that all the things in her house were scattered. On verification, it transpired that certain thieves had broken the lock of the house and stole the gold articles and silver ornaments including 14 tolas of gold, silver anklets, silver necklace, silver spoon and silver coins being approximately weighing about 500 grams.

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner was not named in the FIR and that he has not been

identified. He further contends that the petitioner has been falsely implicated in the aforesaid case and no recovery has been effected from the petitioner. It is further contended that no useful purpose is likely to be served by detaining him in custody and he is not required as no recovery is to be effected from the petitioner. It is further contended that the petitioner had earlier applied for the concession of anticipatory bail and interim bail has been granted to the petitioner vide order dated 13.05.2026 by Additional Sessions Judge, Bhiwani, however, the same had been declined on the ground that the petitioner did not join investigation.

4. Learned State Counsel on the other hand contends that in the present case, the stolen articles as reported by the complainant are yet to be recovered. She further contends that the petitioner is a history sheeter and there are numerous cases pending against him. He is involved in as many as 20 cases at different places. The details of the same are as under:-

- “1. FIR No.777 dated 16.10.2012 u/s 399, 402 IPC & 25,54,59-A of Act (acquitted on 24.7.13)*
- 2. FIR No. 426 dated 01.11.2013 under Sections 398, 401 IPC, PS Sadar Dadri.*
- 3. FIR No. 67 dated 10.03.2016 under Sections 454, 380 IPC, PS City Hansi (Acquitted on 26.04.2019).*
- 4. FIR No. 070-330 dated 31.05.2014 under Sections 457, 380, 511 IPC (Acquitted on 25.04.2018).*
- 5. FIR No. 334 dated 01.06.2017 under Sections 457, 380 IPC, PS City Bhiwani (Acquitted on 05.09.2018).*
- 6. FIR No. 349 dated 04.06.2017 under Sections 457, 380 IPC, PS City Bhiwani (Acquitted on 02.04.2019).*
- 7. FIR No. 475 dated 13.08.2020 under Sections 457, 380 IPC, PS City Bhiwani.*
- 8. FIR No. 125 dated 18.03.2013 under Sections 401, 378*

IPC, PS Sadar Dadri.

9. *FIR No. 287 dated 22.07.2013 under Sections 380, 401 IPC, PS City Dadri.*

10. *FIR No. 418 dated 02.11.2013 under Section 174A IPC, PS City Dadri.*

11. *FIR No. 702 dated 31.10.2014 under Sections 323, 341, 506, 34 IPC, PS City Bhiwani (Acquitted on 27.03.2019).*

12. *FIR No. 636 dated 28.07.2015 under Sections 454, 380 IPC, PS City Bhiwani (Convicted on 20.05.2019).*

13. *FIR No. 493 dated 22.10.2015 under Sections 457, 380 IPC, PS Meham.*

14. *FIR No. 241 dated 04.07.2017 under Sections 457, 380 IPC, PS City Dadri (Acquitted on 07.03.2018).*

15. *FIR No. 457 dated 15.12.2017 under Section 174A IPC, PS Tosham (Convicted).*

16. *FIR No. 381 dated 11.09.2015 under Sections 457, 380 IPC, PS Tosham.*

17. *FIR No. 15 dated 04.01.2019 under Sections 147, 149, 323, 324 IPC & 42 HGPC Act, Police Station Sadar Bhiwani (Pending Trial).*

18. *FIR No. 330 dated 03.06.2019 under Section 174A IPC, PS City Hansi.*

19. *FIR No. 89 dated 28.03.2019 under Sections 20-61-85 NDPS Act, PS Civil Line Bhiwani.*

20. *FIR No. 33 dated 16.03.2017 under Section 16/15 GRP Alwar, Rajasthan.”*

5. Responding to the above, counsel for the petitioner contends that the petitioner already stands acquitted in 08 cases out of the abovesaid cases.

6. I have heard learned counsel for the respective parties and have gone through the documents appended alongwith the present petition.

7. In the cases of housebreaking at night, in the absence of the

landowner, it may not be possible for the landowner to specify or specifically name any person or to identify a person as a thief. Hence, the petitioner cannot derive any gain out of non-mentioning of the petitioner herein. Eventually during the course of investigation, the petitioner has been identified as the person to have broken into the house of the complainant and carried out theft. His involvement in large number of similar cases at different places and different jurisdiction clearly shows his continuous indulgence in criminal activities and the scope of criminal activities relates back to the year 2012 i.e. over the period of last 14 years wherein the petitioner has repeatedly involved himself in similar offences which shows that he has no signs of reform. Further, the question of recovery is to be seen only after the custodial interrogation of the petitioner is carried out.

8. Taking into consideration petitioner's involvement in large number of similar cases, I am of the opinion that the petitioner has not been able to make out a case for grant of indulgence to him and to extend him concession of anticipatory bail.

9. Consequently, the present petition is dismissed.

10. Pending application(s), if any, shall stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

29.05.2026

Sumit Gusain

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No