



CRM-M-37644-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-37644-2025
Decided on: 29.01.2026

Vinod Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rahul Gautam, Advocate and
Mr. Aman Gautam, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

Mr. Ishan Khetarpal, Advocate
for the complainant

SANJAY VASHISTH, J. (ORAL)

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 FIR No.388 dated 26.09.2023, under Sections 420, 406, 120-B IPC at PS Civil Line, District Kaithal.
2. On 17.07.2025, following order was passed:
- “(i) 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Vinod Kumar, aged 44 years	388	26.09.2023	420, 406, 120-B IPC	Civil Line	Kaithal



CRM-M-37644-2025

(ii) *Prime contention of the petitioner's counsel is that the main co accused, namely; Rajat and Guddi, who assured the complainant Kulwinder Singh, to get a job for him in the Railway Department and on that account, an amount of Rs.10,00,000/-, was received by them. Petitioner is a relative of the co-accused – Rajat, and as per the allegation, he persuaded the complainant to pay the amount to Rajat and Guddi, for getting job.*

(iii) *Counsel further contends that there is no allegation that either petitioner was ever paid any amount or he demanded the same himself directly. Except of the disclosure statement of the already arrested co accused, no other evidence is available and as per the settled law, such an offence alone cannot be made basis for ensuring conviction under the alleged charges.*

Counsel further submits that petitioner is ready to join investigation, if protected from arrest. Thus, he prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iv) *Notice of motion.*

(v) *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report by verifying the submissions addressed by the petitioner's counsel.*

(vi) *Adjourned to 15.09.2025.*

(vii) *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

(viii) *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 17.07.2025, the petitioner has joined investigation and his voice sample has been recorded by the investigating



CRM-M-37644-2025

officer.

4. On the other hand, learned State counsel on instructions contends that in compliance to the order dated 17.07.2025 passed by this Court, though the petitioner has joined the investigation but he has failed in extending full cooperation during investigation.

4. However, on being asked as to what kind of cooperation is expected, once the voice sample has been given by the petitioner to the investigating officer, there is no satisfactory response from the learned State counsel.

4. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 17.07.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

5. The 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, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

7. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

29.01.2026

reena

**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

**YES/NO
YES/NO**