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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 25.03.2026

.....Petitioner

Aryan

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aman Joon, Advocate for the petitioner
(through video conferencing).

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

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
Aryan, aged about 18 years	525	12.07.2025	123, 3(5), 308(2), 351(3) of BNS and Section 12 of the POCSO Act and Section 87 of JJ Act added later on	Karnal Sadar	Karnal

2. After hearing learned counsel for the petitioner on 21.08.2025 following was recorded:

- “1. xxx
2. Learned counsel for the petitioner, inter alia, submits that petitioner and co-accused Ankit are cousins, and have no association or contact whatsoever with Ashutosh, who is minor son of the complainant, Rambir. The allegation regarding preparation and circulation of an obscene video is wholly



unfounded. Petitioner has already voluntarily handed over his mobile phone, as well as that of his mother, to the investigating authorities, and no such objectionable content has been found therein.

3. *It is further submitted that, in fact, it is the complainant's own son, who is involved in undesirable activities. To substantiate this contention, learned counsel for the petitioner refers to certain coloured photographs annexed with the present petition as Annexure P-6, wherein complainant's son can be seen inside a liquor shop. It is also contended that complainant and his son were previously residing as tenants in the house of the petitioner. Due to this prior association, petitioner's mother had expressed her concern to the complainant regarding the questionable conduct of his son.*

4. *Counsel for the petitioner argues that present complaint is a result of retaliation, and petitioner has been falsely implicated in the matter at the behest of the complainant's son. It is emphasized that no credible or material evidence exists on record to support the allegations levelled against the petitioner. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

However, to prevent loss to the State Exchequer, the appearance of the concerned respondent(s) in the subsequent proceedings will only be recognized, if the requisite process fee is deposited by the petitioner(s), within a period of one week from today.

7. *Adjourned to 19.11.2025.*

8. *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.).*

9. *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. Continuing his submissions, learned counsel for the petitioner submits that in compliance with the order dated 21.08.2025

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passed by this Court, petitioner has joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

4. Learned State counsel has filed status report by way of affidavit of Sandeep Kumar, HPS, Deputy Superintendent of Police (HQ), Karnal, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

On the other hand, learned State counsel submits that although petitioner has joined the investigation, he has not cooperated on certain issues. It is further contended that no mobile phone belonging to the petitioner or his mother has been handed over by the petitioner to the Investigating Officer.

However, the said contention is disputed by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Noticing the contentions recorded in the order dated 21.08.2025, and considering that petitioner has already joined the investigation, ad-interim bail order dated 21.08.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, the present order is subject to the following conditions:

(i) Petitioner shall fully cooperate with the Investigating Agency and shall hand over his mobile phone and/or that of his mother, as may be required by the Investigating Agency for the purpose of investigation. In



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case of non-compliance, present order shall be deemed to be inoperative, and it shall be open to the Investigating Officer to proceed in accordance with law.

(ii) Petitioner shall continue to join the investigation as and when required by the Investigating Agency and shall abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

(iii) Petitioner shall submit his passport, or in case he does not possess one, an affidavit to that effect, before the Investigating Agency or the Court concerned within a period of one week from today. In default thereof, 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

25.03.2026
Rashmi

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