



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CRM-M-48116-2025
Decided on : 24.03.2026

Anil . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Suresh Nain, Advocate
for the petitioner(s).

Mr. Parveen Kumar Garg, Addl. AG, Haryana.

Mr. Nikhil Sehrawat, Advocate
for the complainant(s).

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 petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Anil, aged about 26 years	377	13.05.2025	316(2) of BNS, 2023 [S. 318(4), 336(3), 338, 340, 238- A, 61 of BNS, added later on], and [S. 316(2) of BNS, deleted later on]	Sadar Hisar	Hisar

2. In the present case, on 29.08.2025, following order was passed by this Court:-

“2. Learned counsel for the petitioner, inter alia, contends that FIR was registered by the complainant, Vinod Kumar, alleging that a truck loaded with goods failed to reach its intended destination. The driver of the said truck had provided three mobile numbers belonging to the truck



owner, Arshad. Upon failure of delivery, a complaint was lodged, leading to the arrest of Arshad and recovery of the truck bearing registration No. RJ-40-GA-2022.

During the investigation, based on the disclosure statement of Arshad, another accused named Amardeep was implicated. Subsequently, on the basis of statement given by co-accused Amardeep, name of the present petitioner surfaced in the present case.

3. It is submitted that petitioner has no connection whatsoever with the said truck or the goods in question, and has been falsely implicated. The sole allegation of the prosecution against the petitioner is that he purportedly received a sum of Rs.8 lakhs as his share from Amardeep after the goods were allegedly sold in the open market. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

6. Adjourned to 15.10.2025.

7. Meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.”

3. Continuing his submissions, learned counsel for the petitioner contends that the petitioner has been arrayed as an accused only on the basis of disclosure statements of co-accused Mahender Pal @ Shanky and Amardeep. In the first disclosure statement, the name of the petitioner did not surface; however, subsequently, on 26.08.2025, another disclosure statement of accused – Mahender Pal @ Shanky was recorded, wherein it was disclosed that he came in contact with the petitioner through one Ankit, who had assured that fraudulently procured iron goods would be delivered to him at scrap rates, thereby yielding substantial profit.

As per allegations, out of the proceeds of the sale of the said



iron goods, an amount of Rs.8.00 lakhs was retained by accused – Mahender Pal @ Shanky, whereas Rs.2.00 lakhs were allegedly received by the petitioner – Anil.

4. On the other hand, learned State counsel submits that an amount of Rs.8.00 lakhs has already been recovered after arrest of accused – Mahender Pal @ Shanky, and an amount of Rs.2.00 lakhs is yet to be recovered from the petitioner.

5. Heard learned counsel for the parties.

6. In the status report, nothing has been specified as to which mobile number of the petitioner was in contact with the co-accused – Mahender Pal @ Shanky or Ankit. Such aspects may be revealed upon joining of investigation by the petitioner.

Therefore, considering the overall facts and circumstances of the case, and the fact that the name of the petitioner surfaced only in the subsequent disclosure statement of the co-accused, this Court is of the view that the petitioner is required to join the investigation at the first instance. However, custodial interrogation of the petitioner does not appear to be necessary at this stage.

7. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory 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.).



8. 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.

9. With the directions issued here above, **present petition stands disposed of.**

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 24, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*