

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

2026:PHHC:018341



CRM-M-56011-2025 (O&M).
Date of decision: 06.02.2026.

MAHENDER

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

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

Present :- Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana

VINOD S. BHARDWAJ, J. (Oral)

The present 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.235 dated 19.09.2025, under Section(s) 231(3), 308(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station New Colony Gurugram, District Gurugram.

Learned counsel for the petitioner submits that pursuant to the order dated 01.10.2025 passed by this Court, the petitioner(s) has joined investigation and custodial interrogation of the petitioner is not required for further investigation of the case.

Learned State counsel, on instruction from assisting police official, does not dispute that the petitioner has joined investigation, however, she contends that petitioner is not extending cooperation and recovery of certain scooties is yet to be made.

Learned counsel appearing for the petitioner responding to the above, submits that 19 scooties have already been recovered from Ajender Khatana @ Annu Khatana- brother of the petitioner herein. He contends that as per the FIR and the subsequent investigation, there is no allegation against the petitioner of having stolen or retained any scooty with him. It is also not disclosed as to what other vehicles had been stolen and are claimed to be in his possession. He thus submits that the statement that the petitioner is not cooperating is without any basis.

State counsel is not in a position to refer to any document on the basis whereof the need for recovery from the petitioner cropped up and as to whether there are any other scooties which have been disclosed to be in possession of the petitioner.

Having heard the learned counsel for the parties and taking into consideration the facts as abovesaid, the present petition is allowed and the interim order dated 01.10.2025 is made absolute.

However, the petitioner(s) shall abide by the terms and conditions, as laid down under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

February 06, 2026.
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(VINOD S. BHARDWAJ)
JUDGE

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