



CRM-M-62155-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62155-2025
Decided on: 27.01.2026

Anil Kumar @ Babbu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raghav Soni, Advocate for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

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
Anil Kumar @ Babbu	81	27.06.2025	25 of Arms Act, 1959	C-Division	Amritsar

2. On 06.11.2025, following order was passed:-

“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	FIR No.	Date	Section(s)	Police Station	District
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Petitioner (s)					
Anil Kumar @ Babbu	81	27.06.2025	25 of Arms Act, 1959	C-Division	Amritsar

2. As per the allegations, while a police team was on patrol duty to maintain law and order, they noticed a young man approaching on a motorcycle. On seeing the police officials, the rider attempted to turn back hastily, causing the motorcycle to slip and fall. On suspicion, police apprehended him, and upon inquiry, he disclosed his name as Panku Rattan. During his personal search, a pistol manufactured in Japan was recovered from the right pocket of his lower. When the pistol was unloaded, three live cartridges of K.F. 7.65 were found in its magazine. Motorcycle, which was being driven by the petitioner, was HF Deluxe, bearing registration number PB-02-DK-8987, was also checked, but no valid documents were found in its toolbox. Consequently, FIR under Sections 25, 54 and 59 of the Arms Act was registered against the said accused, Panku Rattan.

3. Learned counsel for the petitioner contends that petitioner’s name does not figure in the FIR and he has been subsequently implicated solely on the basis of disclosure statement made by the co-accused, in which petitioner is alleged to have supplied the pistol to Panku Rattan. It is further alleged that petitioner is engaged in the illegal trade of firearms and possesses several weapons, on account of which he has been portrayed as a threat to the social fabric, resulting in the rejection of his prayer for anticipatory bail by the Court below.

Further submits that, as per settled law, no person can be treated as an accused merely on the basis of being named in the confessional disclosure statement of a co-accused, unless there exists some independent and substantive material connecting him with the alleged



offence. It is also urged that petitioner has been falsely implicated in the present case merely because he has been indulged in two other criminal cases, apart the present one. Nevertheless, petitioner is ready to join investigation and fully cooperate with the investigating agency, if protected from arrest. Thus, counsel prays for grant 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 27.01.2026.*

7. *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 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 ”*

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance with the order dated 06.11.2025 passed by this Court, petitioner has joined the investigation and has

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extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Kundan Lal, confirms the said averment made by counsel for the petitioner of joining investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 06.11.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

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

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

27.01.2026

Rashmi

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