

CRM-M-69466-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CRM-M-69466-2025
Decided on:16.03.2026

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Shivani Jaglan, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, 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
Sunil Kumar	209	04.07.2025	25(1-B)a and 29 of Arms Act, 1959	IMT, District Rohtak

2. On 09.12.2025, following order was passed:

“1. Prayer in this petition, i.e. CRM-M-70819-2025, 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
Sunil Kumar	209	04.07.2025	25(1-B)a and 29 of Arms Act, 1959	IMT,	Rohtak



2. *Learned counsel for the petitioner inter alia, contends, that the case was initially registered on recovery of a 9 mm pistol along with three live cartridges from one accused, namely Pankaj @ Maya, and on the basis of his disclosure statement, another accused, Sohit @ Rancho, was implicated. Accused Pankaj @ Maya has already been released on bail by the Court of learned Magistrate, vide order dated 01.09.2025 (Annexure P-2). Subsequently, on the disclosure statement of co-accused Sohit @ Rancho, one Ritik @ Malaika was arrested, and on Ritik's disclosure statement, two more accused, Rohit @ Raja and Vicky @ Golu, were apprehended. Thereafter, pursuant to the disclosure statement of Rohit @ Raja, petitioner was also nominated in the present case as the sixth accused.*

3. *Primary allegation against the petitioner is that he allegedly supplied the weapons to accused Rohit @ Raja and Vicky @ Golu. It is submitted that except of the disclosure statement, no other incriminating material is available with the prosecution, and such disclosure statement, being weak evidence, render the petitioner's chances of conviction remote. It is further submitted that petitioner is ready to join the investigation and fully cooperate, provided he is granted protection from arrest by this Court. Thus, counsel prays for the concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *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.*

6. *Adjourned to 22.01.2026, to enable learned State counsel to file status report, detailing the antecedents of the petitioner and specifying whether any evidence, apart from the disclosure statement, is available against the petitioner in the present case.*

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."*



CRM-M-69466-2025

3

3. Learned State counsel has filed a status report by way of an affidavit of Rakesh Kumar, HPS, Deputy Superintendent of Police, Sampla, District Rohtak.

4 A perusal of the status report reveals that the petitioner is found to be involved in three other criminal cases, as mentioned in paragraph No. 9 of the status report, which reads as under:

“(a) FIR no.376 of 2025 U/s 25(1-B)A Arms Act P.S.-Amar Colony, Delhi.

(b) FIR No.255 of 2025 U/s 25(1-B)A arms Act P.S.-Meham, Distt.-Rohtak.

(c) FIR No.106 of 2025 U/s 109(1), 221, 132, 324(4), 3(5) BNS & 25(1-B)A Arms Act P.S.-Bahu Akbarpur, Distt.-Rohtak.”

5. Facts emerging during the course of arguments are that initially Pankaj @ Maya was arrested and from his possession an illegal country-made 9 mm pistol along with three live cartridges was recovered. The said accused has already been released on bail. Subsequent to his arrest, on the basis of his disclosure statement, another accused, namely Sohiti @ Rancho, was arrested; however, nothing was recovered from his possession.

Similarly, on the basis of the disclosure statement of Sohiti @ Rancho, another accused, namely Ritik alias Malika, was nominated as an accused, and in turn two more accused, namely Rohit @ Raja and Vicky @ Golu, were also arrested in the case.



It was on the basis of another disclosure statement of co-accused Rohit @ Raja that petitioner's name surfaced in the case as the alleged supplier of the weapon.

6. Learned counsel for the petitioner contends that except for the unauthenticated disclosure statement of a co-accused, from whom nothing was recovered, there is no other evidence with the prosecution to substantiate the allegations. Moreover, petitioner is ready to join the investigation; therefore, he prays for the grant of anticipatory bail to the petitioner.

7. I have heard learned counsel for the parties and gone through the paper-book.

8. Recovery of the 9 mm pistol along with three live cartridges was effected only from the main accused, namely Pankaj @ Maya, and subsequent thereto five more persons were nominated as accused (as indicated above).

Since nothing could be pointed out during the course of hearing by learned State counsel regarding any other evidence collected by the prosecution, except the disclosure statements relied upon by it.

Looking at all these aspects and after going through the relevant parameters, prima facie it does not appear appropriate to subject the petitioner to custodial interrogation at this stage.

Accordingly, present petition is allowed. Petitioner is directed to join the investigation within two weeks from today. In the event of his arrest, the petitioner shall be released on bail, subject to his

**CRM-M-69466-2025****5**

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.

However, 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.

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. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 16,2026
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**