



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

226

CRM-M No.74139 of 2025 (O&M)
Date of Decision:20.01.2026

Babli

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH**Present:** Mr. Punit Malik, Advocate for the petitioner.

Ms. Deepali Verma, AAG, Haryana.

Mr. Dinesh Kumar, Advocate for the complainant.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Sections 326(F) [Sections 326(F) deleted and Sections 326(G), 238, 61(2) added later on] of Bharatiya Nyaya Sanhita, 2023, hereinafter being referred as 'BNS' only, the FIR No.502 dated 16.12.2025, has been lodged in Police Station Bilaspur, District Gurugram. In the above mentioned case, the petitioner is apprehending arrest, and therefore, for the benefit of anticipatory bail he has approached this Court, by virtue of present petition under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023, hereinafter being referred as 'BNSS' only.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being at the instance of 'Raman Yadav', hereinafter being referred as complainant only. It was stated by the complainant that on 16.12.2025, he had parked his vehicles bearing registration No.HR-26-FG-3086

(Thar) and HR-26EL-2071 (Wagon R) in front of his house. According to



complainant, at about 2.00 A.M somebody sprayed some inflammable substances on the vehicles and set both the cars ablazed. As per complainant, due to fire in the above mentioned vehicles the front portion of his house also got burnt.

3. It is the case of prosecution that similar incident had taken place on 04.10.2005 and with regard to above incident a Daily Diary Report was registered and the same was still pending. According to prosecution on the basis of above mentioned information formal FIR of this case was lodged and the investigation taken up.

4. The learned State Counsel has filed reply by way of affidavit of Assistant Commissioner of Police, Pataudi, Gurugram. The same be taken on record.

5. Heard.

6. It has been contended on behalf of the petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission of crime and that being a female she deserves a lenient view. It has been further contended by learned counsel for the petitioner that during the course of investigation the complainant himself handed over a video footage captured in CCTV camera, to the police, and that as per above mentioned video footage only one person was involved in the commission of crime. It has also been contended by learned counsel for the petitioner that without any legal basis the petitioner has been roped up in the present case merely on the basis of disclosure statement suffered by the co-accused. The learned counsel for the petitioner has contended that petitioner has relation or link, whatsoever, with the accused, who can be seen in the CCTV camera.

7.

Per contra, the learned State counsel being assisted by learned



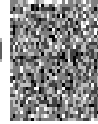
counsel for the complainant has contended that the petitioner has criminal antecedents as she has been prosecuted in three different cases, one under NDPS Act and one under Sections 323 & 506 IPC and one under Sections 115, 190, 191, 191(2) and 351(3) of BNS. The learned State counsel has also contended that the petitioner is the master mind of the above mentioned offence and that the presence of petitioner in the vicinity of the place of occurrence has been captured in the CCTV camera on the same day in late evening hours, when she was travelling in a car in the same locality. According to learned State counsel in order to fix the role of petitioner in the commission of offence her custodial interrogation is necessary.

8. In response to above mentioned arguments, it has been replied by learned counsel for the petitioner that the parental home of the petitioner is situated in the same locality, and therefore, the presence of petitioner in the locality was not un-natural, and the same, in itself, cannot be termed to be an event which indicate the involvement of petitioner in the commission of crime.

9. The record has been perused carefully.

10. A perusal of the record shows that there are several factors which are required to be taken into consideration at this stage. Those factors are:-

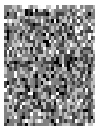
- i) that the petitioner being a female deserves a lenient view;
- ii) that although the petitioner is facing prosecution in three different cases but there is no such case of similar nature against the petitioner;
- iii) that the most relevant evidence with regard to commission of offence has been captured in CCTV camera and in the CCTV at the time of commission of offence the petitioner is not visible;
- iv) that mere suspicion that petitioner had visited her parental home



on the same day, in itself, is not sufficient and good enough to prove the nexus between the commission of crime and petitioners;

- v) that there is nothing on record to show that the person who was captured in CCTV Camera is having any kind of relationship or nexus with the petitioner;
- vi) that there is no legally admissible evidence which even *prima facie* shows that the involvement of petitioner in the commission of crime;
- vii) that mere suspicion that petitioner is master mind of the crime in itself is not sufficient ground to allow custodial interrogation of the petitioner by the police;
- viii) that nothing is left to be recovered from the possession of the petitioner;
- ix) that the investigation and trial of the case are not likely to be concluded in near future;
- x) that custodial interrogation of the petitioner is not likely to serve any purpose;
- xi) that there is nothing on record to show that if released on bail, the petitioner is likely to tamper with the evidence or influence the prosecution witnesses; and
- xii) that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in the trial.

11. In view of the above mentioned discussion it is hereby held that the present petition deserves to be allowed. Hence, the same is hereby allowed, and the petitioner is accorded the benefit of anticipatory bail. It is hereby directed



that in the event of his arrest, the petitioner shall be released on bail on furnishing bonds to the satisfaction of Arresting Officer. The petitioner will join the investigation as and when called by the Investigating Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagrik Surakhsa Sanhita, 2023.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

20.01.2026
Manoj Bhutani

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