



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-19598-2025
Date of decision: 08.04.2025

Ramesh Kumar @ Nanha RamPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Badal Malik, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.14 dated 15.01.2025 under Sections 331(4), 305 and 317 of the BNS, 2023, registered at Police Station Bhuna, District Fatehabad.

2. Learned counsel for the petitioner *inter alia* contends that a perusal of the FIR in question reveals that neither has the petitioner been named therein nor is there any specific attribution with respect to any role which he may have played in the occurrence in question. It has been contended that rather the FIR was registered against unknown persons who came to the house of the complainant during her absence and committed a huge theft of firearms, along with live cartridges, gold ornaments and silver articles. It has been further submitted by the learned counsel that the petitioner came to be nominated as an accused on the basis of an alleged disclosure statement made by co-accused Momin wherein it was claimed that the petitioner had also accompanied him to the house of the complainant on the fateful day and participated



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in the crime in question.

3. Learned counsel has vehemently asserted that the disclosure statement on the basis of which the petitioner has been named as an accused has weak evidentiary value and cannot be treated as a substantive piece evidence and hence, on this ground alone, he deserves the concession of anticipatory bail.

4. On a pointed query, learned counsel has submitted that the petitioner is involved in one other criminal case of identical nature wherein also, as per the learned counsel, the petitioner has been falsely implicated on the basis of alleged disclosure statement.

5. Notice of motion.

6. On asking of the Court, Mr. Rahul Mohan, Sr. DAG, Haryana, accepts notice on behalf of the respondent-State.

7. Learned State counsel has while vehemently opposing the prayer and submissions made by the counsel opposite, has submitted on instructions, that no doubt the FIR was lodged against unknown persons, however, during investigation, co-accused Momin was arrested, who then disclosed that the petitioner had accompanied him to the place of occurrence; after committing theft of the articles mentioned in the earlier part of this order, had sold it to none other than his owner brother-in-law Balwan. Learned State counsel submits that in the circumstances, there is no room for doubt that the petitioner was indeed involved in the crime in question which took place at the residence of the complainant during her absence.

8. Learned State counsel, on further instructions, has



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submitted that the petitioner has not approached this Court with clean hands inasmuch as it has been withheld from this Court that the petitioner is involved in total three cases including a case under Section 307 of the IPC. Learned counsel for the State submits that the crime in question had been committed by the petitioner while he was on bail in the other pending cases. Learned State counsel, therefore, prays for dismissal of the instant petition as the custodial interrogation of the petitioner is required.

9. I have heard learned counsel for the parties and perused the relevant material on record.

10. *Prima facie*, the petitioner indeed comes across as a habitual offender. This Court concurs with the submissions made by the learned counsel for the State that the custodial interrogation of the petitioner would be necessitated to unravel the entire racket involved in such like thefts, moreso when the stolen articles have been sold by the petitioner to none other than his own brother-in-law.

11. In the facts and circumstance as enumerated hereinabove, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

12. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

08.04.2025

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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