



CRM-M-33065-2025

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

214

**CRM-M-33065-2025  
DECIDED ON: 16.09.2025**

**TOPESH @ VINAY KUMAR****.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Tarun Seth, Advocate and  
Ms. Deepshikha Arora, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

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**SANJAY VASHISTH, J (ORAL)**

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:-

<b>Name of Petitioner (s)</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
Topesh @ Vinay Kumar Aged about 28 years	206	26.07.2024	25 of Arms Act	BPTP	Faridabad

2. On 23.06.2025 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:-*

<b>Name &amp; age of Petitioner (s)</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
Topesh @ Vinay Kumar, aged about 28 years	206	26.07.2024	25 of Arms Act	BPTP	Faridabad

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2. *Learned counsel for the petitioner submits that petitioner's name does not find mention in the FIR and he has been implicated solely on the basis of the disclosure statement made by the co-accused, wherein it is alleged that petitioner is the supplier of the unlicensed weapon. It is further pointed out that the said weapon has already been recovered from the possession of the co-accused, and no recovery is to be effected from the petitioner.*

3. *Counsel also draws attention to the fact that although a similar case is registered against the petitioner in the State of Uttar Pradesh, he has not been held guilty or convicted in any criminal case, till date. Since, recovery of the weapon has already been effected and there being no requirement for custodial interrogation, counsel for the petitioner prays for grant of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, Mr. Rajiv Sidhu, DAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 16.09.2025, to enable learned State counsel to file status of the investigation, antecedents including involvement of the petitioner in other cases.*

7. *In the 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 be 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 of the order dated 23.06.2025 passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel, confirms the said averment made by counsel for the petitioner of joining the investigation on 01.08.2025 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.

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6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 23.06.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

7. Accordingly, petition stands disposed of.

**16.09.2025**

mahima

**(SANJAY VASHISTH)  
JUDGE**

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