



CRM-M No.41230 of 2025

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

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**CRM-M No.41230 of 2025
Date of decision: 31.07.2025**

Shabir Ahmed ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Saleem Ahmed Advocate,
for the petitioner.

Mr. Apoorv Garg, Addl. AG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
360	07.07.2025	Sector-58, Faridabad, District Faridabad	305(e), 331(4), 317(5) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS")

2. As per the allegations, in the morning of 06.07.2025, while conducting checking, HC Ashok Kumar posted at Police Station Sector-58, Faridabad impounded a vehicle bearing registration No.HR-73C-0082 loaded with dust. The said vehicle was parked in the yard of the police station and a DDR was entered. In the next morning, the abovesaid vehicle was found to be missing. On checking the CCTV cameras, one



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youth was found taking the vehicle out of the police station whereas another youth was seen keeping vigil. Since vehicle was taken away without depositing the challan amount, therefore, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, the accused Islamuddin was arrested. He suffered disclosure statement admitting the fact that he had taken away the vehicle from the police station and also disclosed that this vehicle was owned by the present petitioner. He was working as driver of the petitioner and it was on asking of and in connivance with the petitioner, that plan had been made to take out the vehicle from the police station. It was also disclosed by him that the sand/dust loaded in the vehicle was got unloaded by them after taking away the vehicle from the police station. The vehicle was taken into custody. Investigation is underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Faridabad vide order dated 19.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery is to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Mr. Apoorv Garg, Addl. AG, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted by him that keeping in view the gravity of the allegations, the petition does not



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deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner in connivance with the co-accused is alleged to have committed theft of the vehicle No.HR-73C-0082 which was impounded by the police and kept in its custody at the police station on the night of 06.07.2025. He is also alleged to have removed/unloaded sand/dust kept in that vehicle. Though vehicle stands recovered from the co-accused but the recovery of the sand/dust is to be effected. The petitioner has criminal antecedents since two more cases have been registered against him. For conducting thorough and proper investigation of the matter and for eliciting information as to the manner in which the theft was committed and dust kept therein was removed, custodial interrogation of the petitioner is must. Even otherwise, it is well settled proposition of law that powers for grant of anticipatory bail are to be exercised in exceptional and extraordinary circumstances whereas given the nature of the allegations, no such circumstance has been made out. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)

JUDGE

31.07.2025

manju/parveen sharma

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No