

2025:PHHC:047119



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

101

CRM-M-18473-2025

Date of decision: April 04, 2025

IMRAN

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gaurav Gupta, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.0009 dated 20.01.2025 (Annexure P-1) under Sections 305/331(4) of BNS, 2023 and Section 112 of BNS, 2023 (added later on), registered at Police Station Gadpuri, District Palwal.

2. Learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is submitted that the FIR in question (Annexure P-1) was initially registered against unknown persons, and there is no direct evidence connecting the petitioner to the alleged offence. Learned counsel further submits that the petitioner is engaged in the business of dealing with junk/scrap material and has not purchased any stolen goods from the co-accused, as alleged.

3. It is further argued by the learned counsel for the petitioner that the name of the petitioner has surfaced solely on the basis of the disclosure statement made by co-accused, wherein it is alleged that the stolen goods



were sold to the petitioner. It is submitted that such a disclosure statement, in the absence of independent corroboration, cannot form the sole basis for implicating the petitioner in the present case. It has also been pointed out that the FIR is completely vague and does not even mention the quantity or value of the stolen goods allegedly involved, thereby casting serious doubt on the veracity of version put forth by the complainant and indicating that a false and concocted story has been set up against the petitioner.

4. Notice of motion.

5. On the asking of the Court, Mr. Rahul Mohan, Sr. DAG, Haryana accepts notice on behalf of the respondent-State. Learned State counsel has opposed the prayer and submissions made by the counsel opposite and he, on instructions, has submitted that the petitioner is a habitual offender and a known receiver of stolen property. It is submitted that the stolen articles are yet to be recovered, and custodial interrogation of the petitioner is necessary to effect recovery and to unearth the entire chain of events. It is further submitted that the petitioner is involved in three other FIRs of a similar nature and was on interim bail when the offence in question was allegedly committed, thereby showing a clear pattern of misuse of liberty granted to him in other pending cases.

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

7. As per allegations levelled in the FIR, on 01.11.2024, some unknown persons broke the wall of the GV plant of the complainant and



stole trimmed scrap, copper, zinc, aluminium, brass etc. from inside the company; on the night of 05.12.2024, they again jumped over the wall and stole scrap, copper, zinc, aluminium, brass etc. which were packed in bags. Thereafter, on the night of 18.12.2024, unknown persons again indulged in theft of the articles stored in the plant. *Prima facie*, there are serious allegations against the petitioner, who is alleged to be a receiver of stolen property running into lakhs of rupees. The fact that the petitioner is already involved in three other criminal cases of similar nature, and that he was on interim bail when the present offence was allegedly committed, reflects adversely on his conduct and indicates a tendency to misuse the concession of bail. The allegations against the petitioner require thorough investigation, particularly in view of the pending recoveries, and his custodial interrogation cannot be ruled out at this stage.

8. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extent the extraordinary concession of anticipatory bail to the petitioner.

9. Accordingly, the instant petition stands dismissed.

10. 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.

April 04, 2025

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No