

2025:PHHC:135079



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

107

**CRM-M No.54170 of 2025
Date of decision: 24.09.2025**

Juned Ali

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rishab Garg, 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
186	15.03.2024	Gurgaon Sadar, District Gurugram	34, 392 and 506 of IPC

2. The aforementioned FIR was registered on the basis of complaint filed by the complainant Manish Kumar alleging that on the night of 13.03.2024, he was standing at Rajiv Chowk, Gurugram for the purpose of going to his house in Rewari and was waiting for some

2025:PHHC:135079



vehicle when a Baleno make car stoped in front of him. Four youths were occupants of the same. The complainant asked them for a lift and they made him sit in their vehicle. After crossing some distance, the youths who were sitting in the rear side forcibly made him sit in between them and while extending threats to him, took his cell phone, wallet containing Rs.4300 and forced him to disclose his UPI PIN number. Out of fear, he disclosed the same and then they got transferred a sum of Rs.13,000/- and then threw him on the road. After registration of FIR, investigation proceedings have been initiated and are underway. During the course of investigation, it was revealed that the money from the account of the complainant by way of UPI transaction was transferred in the account of one accused Inzmam. He was arrested on 18.03.2024. He suffered disclosure statements on the basis of which co-accused Mohd. Zafar and Sahid were nominated as accused and were arrested. They took names of the present petitioner and the co-accused Sazid. Sazid was arrested on 20.03.2024. Two more accsued were arrested. Call detail records of the mobile phones of the petitioner, accused Inzmam, Mohd. Jazar and Sahil were collected and it was revealed that they were in constant touch with each other at the time of commission of the subject crime. Apprehending his arrest, the petitioner moved application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Gurugram vide order dated 12.09.2025.

2025:PHHC:135079



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that he deserves to be extended benefit of pre arrest bail.

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 there are serious allegations against the petitioner. His participation in the subject crime stands prima facie established. He was one of the occupants of the vehicle which was used for committing the crime. The accused Injmam had facilitated transfer of money and was not present at the spot. Call detail record of the petitioner and the co-accused has shown their complicity with each other. Thorough and proper investigation is required to be conducted and for that purpose, custodial interrogation of the petitioner is must. Even otherwise, no extraordinary and exceptional circumstance for grant of bail is made out. Accordingly, it is urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have robbed the complainant of a sum of Rs.17,300 and his mobile phone on

2025:PHHC:135079



the fateful night after criminally intimidating him. He was not named in the FIR but his complicity has been prima facie established not only on the basis of the disclosure statement of the co-accused but from the call detail record collected during the investigation. For conducting deeper probe, the custodial interrogation of the petitioner is must. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. In the present case, no exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. 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

24.09.2025

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No