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

**CRM-M-33010-2025 (O&M)
Date of decision: 07.07.2025**

Farman

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.234 dated 01.12.2022 under Sections 506, 336, 285 of the Indian Penal Code, 1860 (for short 'IPC') (Sections 182, 211, 120-B, 201 of IPC and Sections 25(6), (7), 29 of Arms Act, 1959 Ayudh (Amended) Bill, 2019 were added later on), registered at Police Station Raipur Rani, District Panchkula.

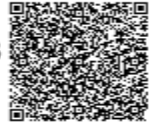
2. Succinctly, the facts of the case are that FIR (*supra*) was registered on the basis of an application given by complainant Vinay Gupta, on the allegations that he is doing the business of commission agent in Shahzadpur,



District Ambala and come to his shop daily at 10.00 a.m. and leave for home at around 06.00 to 07.00 p.m. On 01.12.2022, he left for home from the shop in his car bearing registration No.HNX-37 and at about 07.15 p.m., when he reached near Golpura bus stand, he saw some persons with muffled faces sitting on three motorcycles. All three motorcycles riders chased his car. Out of them, one person fired in the air and pillion rider fired at the rear of his car. Third person threw blue polythene on the front windshield of his car. Thereafter, all of them fled away from the spot towards Panchkula while brandishing their guns and saying something. He has apprehension that they were threatening to kill him. Hence the FIR (*supra*).

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is not named in the FIR (*supra*) and he has been falsely implicated only on the basis of disclosure statement made by co-accused during his custodial interrogation, which has no evidentiary value in the eyes of law, as the same is hit by Sections 25 & 26 of Indian Evidence Act, 1872 (*now Sections 23(1) & 23(2) of the Bharatiya Sakshya Adhiniyam, 2023*). Further, there is no nexus of the petitioner with co-accused or the complainant. It is further submitted that one co-accused of the petitioner, namely Vinay Gupta, has already been granted the concession of anticipatory bail by this Court vide order dated 02.08.2023 passed in CRM-M-16988-2023 (Annexure P-3).

4. *Per contra*, learned State counsel opposes the prayer for grant of anticipatory bail to the petitioner on the ground that co-accused obtained the



country-made pistol from the petitioner and another co-accused Basant Kumar used it by firing shots in order to create a ground of apprehension of threat for co-accused to get security from the police. Further, the petitioner is involved in five more FIRs under the provisions of Arms Act, out of which one FIR is registered under Section 302 of IPC. As such, custodial interrogation of the petitioner is required to unearth the *modus operandi* and also the source of illegal weapons.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. Keeping in view the facts and circumstances of the case and considering the allegations levelled against the petitioner, this Court finds no ground to grant him the concession of anticipatory bail. Accordingly, present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

[HARPREET SINGH BRAR]
JUDGE

07.07.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No