



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-32557-2026
Decided on: 06.07.2026

SANJEEV KUMAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Parveen Kumar, Advocate,
for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

SANJAY VASHISTH, J.

1. Present petition for pre-arrest bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023', in case, FIR No.69 dated 08.04.2026, for the commission of offence punishable under Sections 316(2), 318(4), 61(2) of Bharatiya Nyaya Sanhita, 2023, Police Station Sadar Kaithal, District Kaithal.

2. On 02.06.2026, following order was passed:-

"2. The abovementioned FIR came into being on the complaint of 'Amandeep', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that 'Suman', 'Balraj' and 'Vansh' dishonestly induced him on the pretext of performing black magic (tantrik) rituals and they allegedly created an illusion in the minds of complainant's family regarding black magic (witchcraft), and on the pretext of performing tantrik rituals for the construction of a temple of 'Baba Bhairav Nath', induced the complainant to part with substantial amounts of money. It was further alleged by the complainant that after encashing the FDRs,



they paid Rs.76 lacs (approx.) in cash, transferred around Rs.7 lacs through online mode and also handed over 32 tolas of silver and 6 tolas of gold jewellery to the accused. It has been further alleged by the complainant that 'Sanjeev Kumar' (the petitioner herein) along with his family members and complainant's family, visited several religious places also, but they did not get any relief.

3. It is the case of the prosecution that in view of abovementioned complaint, formal FIR of this case was lodged and the investigation taken up.

4. Notice of motion.

5. Mr. Sunny Namdev, AAG, Haryana appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with.

6. Heard.

7. The record has been perused carefully.

8. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

i. that the offence is triable by the Court of Judicial Magistrate;

ii. that the maximum punishment prescribed for the commission of abovementioned offence is imprisonment up to seven years;

iii. that there is no proof of payment of Rs.76 lacs (in cash) and gold/silver ornaments by the complainant to the petitioner;

iv. that otherwise also the dispute between the parties seems to be a dispute of money transaction and for such transaction, the appropriate remedy lies in the Civil Court only;

v. that the only allegation against the petitioner is that he was the middleman;

vi. that there is no allegation that he was beneficiary of the money paid by the complainant;

vii. that custodial interrogation of the petitioner is not likely to produce a fruitful result;

viii. that the investigation and trial are not likely to be concluded in near future;

ix. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;

x. that there is nothing on record to show that while on interim anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and

xi. that there is nothing on record to show that while on interim anticipatory bail, the petitioner will not participate/cooperate in the investigation.



9. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that the petitioner is entitled for interim anticipatory bail.

10. Thus, it is hereby ordered that in the event of his arrest, the petitioner shall be released on interim anticipatory bail on furnishing bonds to the satisfaction of arresting officer. However, in the meantime the petitioner shall join the investigation as and when called by the Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of the BNSS, 2023.

11. List on 06.07.2026.

12. Let status report and detailed reply, if any, be filed by the State by next date.

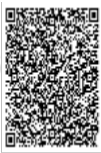
13. To be shown in urgent list.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 02.06.2026, 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 on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation 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.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 02.06.2026, 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.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

06.07.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO