



211 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-555-2025 (O&M)
Date of Decision: 11.02.2025

YUGAM BHARDWAJ

...Petitioner

V/S

STATE OF UT CHANDIGARH

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Manish Bansal, PP UT Chandigarh and
Mr. Navjit Singh, Advocate for UT Chandigarh.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.173 dated 11.11.2024 under Sections 409/420/120-B of IPC registered at Police Station Sector 34, Chandigarh (Annexure P-1).

2. On 10.01.2025, following order was passed:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.173 dated 11.11.2024 under Sections 409/420/120-B of IPC registered at Police Station Sector 34, Chandigarh (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the complainant had made investment with the QFX Company and petitioner is not the Director of the Company but only an employee. No money has been received by the petitioner in his account. The entire money has been deposited in the account of the Company and co-accused has been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Chandigarh.

Notice of motion.

On the asking of the Court, Mr. Manish Bansal,



Public Prosecutor, U.T. Chandigarh, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (earlier Section 438 (2) Cr.P.C.).*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 11.02.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

3. Learned PP for UT Chandigarh on instructions from ASI Jasbir Singh, submits that in compliance of order dated 10.01.2025 passed by this Court, the petitioner has joined the investigation, however, learned counsel for UT Chandigarh vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner has made incorrect averments with regard to being only an employee, however, the petitioner joined as Additional Director of the Company on 18.05.2023.



4. In rebuttal, learned counsel for the petitioner submits that the entire allegations pertain to the year 2022 i.e. much earlier than the joining of the petitioner on 18.05.2023.
5. In view of the above, the order dated 10.01.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482(2) of B.N.S.S.
6. The petition is accordingly disposed of.

11.02.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>