



CRM-M-3565-2025

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

211+139

**CRM-M-3565-2025 (O&M)
Date of Decision: 17.03.2025**

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Prateek Rathi, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.**CRM-10741-2025**

Application has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for placing on record
the certificate of receipt of payment issued by HAFED District Office,
Bhiwani dated 24.02.2025 as A-2.

For the reasons mentioned in the application, same is allowed as
prayed for, subject to all just exceptions. Certificate of receipt dated
24.02.2025 (A-2) is taken on record.

Registry to tag the same at appropriate place.

Main Case

Present petition has been filed under Section 482 of BNSS for
grant of pre-arrest bail to the petitioner in FIR No.164 dated 16.10.2024,
under Sections 406 and 420 of the Indian Penal Code, 1860 (for short 'IPC'),
registered at Police Station Jui Kalan, District Bhiwani, Haryana.



2. Allegations are that petitioner cheated the complainant by not supplying mustard purchased from farmers valuing Rs.75,95,072/- and also committed criminal breach of trust by misappropriating that amount.

3. Contends that petitioner was granted interim bail by this Court, vide order dated 29.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from ASI Uday Bhan and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by this Court, vide order dated 29.01.2025 and the order reads as under:-

“Contends, inter alia, that in order to show his bona fide, petitioner has already deposited an amount of Rs.50,00,000/- (Rupees fifty lakh only) in favour of the Haryana State Cooperative Supply and Marketing Federation Limited (HAFED), vide Pay Order No.002950 dated 28.01.2025 and photocopy of the same is taken on record as Mark ‘X’.

Registry to do the needful.

Posted for 17.03.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer, but he be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 29.01.2025 is made absolute subject to the



conditions as envisaged under Section 482(2) of BNSS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.
11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.
12. Needless to say that deposit of amount would be subject to final outcome of FIR No.164 dated 16.10.2024 (*supra*) and the same shall not prejudice the rights of petitioner, in any manner.

Pending application(s), if any, shall also stand disposed off.

17.03.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No