



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

CRM-M-5641-2025 (O&M)
Date of decision: 24.04.2025

Vijay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Lalita Kashyap, Advocate for
Mr. Namit Khurana, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.489 dated 30.11.2024 (P-1), under Sections 406, 420 of the Indian Penal Code, 1860 (*for short* 'IPC'); Sections 10 & 24 of the Immigration Act, registered at Police Station Ladwa, District Kurukshetra.

(2) Allegations are that petitioner along with co-accused cheated the *de facto* complainant-Jasbir to the tune of Rs.4.5 Lakh on the pretext of sending his son abroad.

2025:PHHC:052503



(3) Learned Counsel contends that petitioner was granted interim protection by this Court, vide order dated 03.03.2025 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 SI Mool Chand.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It transpires that petitioner was granted interim protection by this Court, vide order dated 03.03.2025 and the same reads as under:-

“Learned State counsel seeks time to file better affidavit in the matter. However, on instructions, he acknowledged that there was some compromise between the parties at their own level on 18.01.2025.

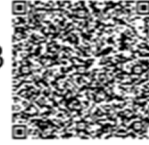
Posted for 24.04.2025.

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 03.03.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

2025:PHHC:052503



(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.

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

24th April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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