



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

**CRM-M-7081-2025 (O&M)
Date of Decision: 07.03.2025**

SANOJ KUMAR

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab

HARPREET SINGH BRAR J. (Oral)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.480 dated 22.12.2024 under Sections 316(2) & 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [erstwhile Sections 406 & 420 of the Indian Penal Code, 1860 (for short 'IPC')], registered at Police Station Sector 27, Sonipat, District Sonipat.

2. On 10.02.2025, following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.480 dated 22.12.2024 under Sections 316(2) & 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [erstwhile Sections 406 & 420 of the Indian Penal Code, 1860 (for short 'IPC')], registered at Police Station Sector 27, Sonipat, District Sonipat.

Learned counsel for the petitioner, inter alia, contends that the petitioner is merely an employee under main accused Vikram Nanda, who is proprietor of East International Consultant. As per the case set up by the prosecution, the petitioner received an amount of Rs.2.50 lakhs from the complainant, on asking of his employer Vikram Nanda. Learned counsel for the petitioner submits that the petitioner has brought a demand draft dated 07.02.2025 amounting to Rs.2.50 lakhs, in favour of the complainant and he is also in possession of one cheque of Rs.2.50 lakhs. The photocopy of said demand draft is taken on record. It is further contended that the

petitioner is having clean antecedents and is not involved in any other case and he is ready to hand over the demand draft along with cheque to the complainant.

Notice of motion for 07.03.2025.

Keeping in view the ratio of 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, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

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

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.

The petitioner, as per his undertaking, is directed to hand over the demand draft and the cheque to the Investigating Officer at the time of joining the investigation and the Investigating Officer will further hand over the same to the complainant against proper receipt."

3. Learned State counsel on instructions from PSI Neeraj, submits that in compliance of order dated 10.02.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.



4. Keeping in view the statement made by learned State Counsel the order dated 10.02.2025, 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.
5. The petition is accordingly disposed of.

07.03.2025	(HARPREET SINGH BRAR)	
Ajay Goswami	JUDGE	
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No