



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
213

CRM-M-7082-2025
Decided on : 03.04.2025

Roshan Lal . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Jyoti Kumari, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner(s).

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 06.02.2025, following order was
passed by this Court:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Roshan Lal, aged about 47 years	213	10.06.2022	406, 420, 467, 468 and 471 IPC	Bilaspur	Yamuna Nagar

2. Learned counsel for the petitioner, inter alia, contends that the allegations are vague. It is not clear that on what account, the amount was paid by the complainant, or any other person to the petitioner and two other co-accused. Total amount involved is Rs.4,25,000/- (Rs.1,05,000/- + Rs.3,20,000/-). Allegedly, the amount was paid in cash. In fact, there is no such record that the incident took place in the year 2018.

3. He further submits that the present FIR has been lodged on 10.06.2022, and by that time, even the limitation for filing the recovery suit had also expired.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions, and to file status report in the matter.

6. Adjourned to 03.04.2025 .

7. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the



event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.”

2. It is informed that in the present case, incident took place in the year 2018, and the FIR was got lodged in the year 2022, without even explaining as to on what particular dates, the amount, as alleged in the FIR was paid to the accused person(s). Even the alleged amount is now not recoverable through the civil case proceedings, and it is only to twist the arm of the petitioner, present FIR has been got lodged.

3. Counsel for the petitioner argues that the co-accused ‘Aman Kumar’ has already been granted concession of anticipatory bail by the Court of Ld. ASJ, Yamuna Nagar at Jagadhri.

Also submits that in compliance of the order dated 06.02.2025, petitioner has already joined investigation and fully cooperated with the investigating agency. Thus, custodial interrogation of the petitioner would not serve any purpose to the prosecution and therefore, seeks confirmation of the interim bail.

4. On the other hand, while opposing the prayer of the petitioner, learned State counsel argues that though petitioner has joined investigation, but not cooperated with the investigating agency.

However, the factual aspects that the incident took place in the year 2018 and the FIR was got lodged in the year 2022, and also the fact that co-accused ‘Aman Kumar’, has already been granted concession of bail by the learned Court below, is not disputed by learned State counsel.



5. Heard.

6. Having noticed the submissions addressed by the petitioner's counsel, this Court is fully satisfied that the money dispute has been raised by the complainant at much belated stage. The truthfulness in the allegations is yet to be determined by the Trial Court, after having evidence before it, the present petition is **allowed**, and the ad-interim order dated 06.02.2025, is hereby made absolute.

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. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

8. **Accordingly, petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

April 03, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No