



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

CRM-M-9677-2025 (O&M)

Date of decision: 13.05.2025

Ankush Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rajesh Duhan, Advocate for the petitioner.

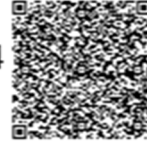
Mr. Neeraj Sheoran, DAG, Haryana for the respondent.

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.10 dated 08.01.2025, under Sections 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023 (*for short* 'BNS'); Section 24 of the Immigration Act, registered at Police Station Civil Lines, District Karnal.

(2) Allegations are that petitioner along with co-accused, namely, Alok Kumar cheated *de facto* complainant and other victim-Ajay Kumar to the tune of Rs.8,80,000/- on the pretext of sending them abroad (Russia) after arranging Work Permits.

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(3) Learned Counsel contends that petitioner was granted interim protection by this Court, vide order dated 19.02.2025 and in pursuance thereof, he has joined investigation. Also contends that petitioner has already refunded an amount of Rs.2 Lakh to the *de facto* complainant(s)/victim(s); hence, his custodial interrogation would not serve any purpose.

(4) The above factual position is not disputed by learned State Counsel, on instructions from A.S.I. Ranjeet Singh.

(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 19.02.2025 and the same reads as under:-

“Contends, inter alia, on instructions from the petitioner, that an amount of Rs.2 lakh shall be refunded to the de-facto complainant/victim(s) (Rs.1 lakh each), within a period of 4 weeks from today.

Notice of motion.

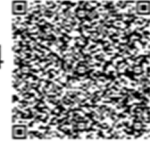
At this stage, Mr. Kiran Pal Singh, learned A.A.G., Haryana, accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.

Posted for 07.04.2025.

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

Needless to say that refund of amount of Rs.2 lakh by petitioner shall be subject to final outcome of the criminal case and be not treated as a prejudice to his defence.”

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(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 as on today.

(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 19.02.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the 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.

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

13th May, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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