



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

102

CRM-M-10865-2025

Date of decision: 03.03.2025

Jogender Kumar @ Jogender Mehta**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Onkar Singh Batalvi, Advocate and
Mr. Damanjeet Singh Batalvi, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.349 dated 01.08.2024 under Sections 406,420 IPC registered at P.S City, Bhiwani.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“ SP Office Bhiwani Diary no. 86 PG dated 16.02.2023 to To Mr. SP Sahib Bhiwani Subject Complaint regarding investigation of Fake Pass Book in post office Bhiwani and taking action. Sir it is Humble request that I Praveen Kumar S/o Shri Panmeshwari Das Rio Agarwal Colony in front of Jogiwala Temple Tehsil and District Bhiwani and I request you that I had deposited money in the following schemes in post office Bhiwani through the following agents in various savings schemes of the Post office 1. Leela krishan Mehta 2. Usha Rani Mehta W/o Leela Krishan Mehta 3. Jogendra Mehta son of Shri Leela krishna Mehta resident of 210-211 Old Housing Board Colony Bhiwani Tehsil and District Bhiwani, whose details are as follows:- 1- TDI No. 020020693824 dated 25-09-2021 to 25-09-2022 Rs. 6,80,000/-2-MIS NO.



738849 Dated 04-04-2019 to 04-04-2024 Rs. 49,500/-3- NSC NO.020013279929 Dated 16-06-2021 to 16-06-2026 Rs. 4,20,000/- 4-RD Account No. 4590352518 Dated 23-10-2014 to 23-10-2024 Rs. Rs. 10,000/-PM 5-SB A/C NO. Pass book and account statement of post office no. 010002405611, which is with the said agents only, which are the pass books of all the above mentioned post offices in my name and this amount was deposited by me and the amount was deposited in the following savings schemes in the name of my wife Snehlata through the said agents:

1. MIS NO. 3670209926 Dated 06-10-2017 to 06-10-2022 Rs. 1,05,000/-
2. MIS NO. 020016308012 Dated 06-09-2021 to 06-09-2026 Rs. 1,00,000/-
3. MIS NO. 020014761765 Dated 08-07-2021 to 08-07-2026 Rs. Rs.1,00,000/-
4. NSC NO. 020008068503 Dated 25-03-2021 to 25-03-2026 Rs. 5,00,000/-
5. NSC NO. 020033670941 Dated 01-06-2022 to 01-06-2027 Rs. 50,000/-

that when my pass book no. 020020693824 dated 5.09.2022 and my wife Smt. Snehlata's pass book no. 3670209926 dated 06-10-2022 was matured, then both of us went to the main post office with the agent to collect the money then We found the said copies to be fake and no money was deposited and the post office said that the above record is not in our savings account. Despite all this, when we got our other copies whose details are given above checked, all the copies were found to be fake. It was found that all our life's earnings were wasted and we were shocked. That the above Leela Krishna Mehta has passed away on 15-01-2023 and after this when we met the remaining two agents Smt. Usha Mehta and Jogendra Mehta in this regard, they said that you do whatever you want to do, no one can do anything to us and neither we have nothing to do with it. It is between you and post office. Whereas all the amount was deposited through the above agents and every month the above agents have been taking money from us and our deposits have been stolen. They used to keep the copies with themselves. They are refusing to give even the few copies that they have and are saying that you should go and settle accounts with the person who died. Therefore, we request you to take legal action against the above agents and get us the account of our capital deposited over the years along with interest. As proof, we have some fake copies given by the agents on which the post office stamp is affixed, which There is a symbol of trust between the public and the post office, which the above agents have misused and destroyed the trust in the post office. This is an illegal step, so strict legal action should be taken against them and they should be arrested under 420 as per the arrested and justice should be provided.". We will be highly grateful to you. SD PARVEEN Applicant Praveen Kumar son of Shri Pameshwari Das resident Aggarwal Colony in front of Jogi wala temple, Bhiwani tehsil



and district Bhiwani mobile no. 9416460987 Today police station at this time a complaint SP OFFICE BHIWANI DAIRY NO. 56 PG DATED 16/02/2023 along with investigation report was received in the police station, and crime Under Section 406,420 IPC Police Station City Bhiwani based on the facts of the complaint. The report of this case was filed by Bajaria Post office and e-mail was to higher officials. This case is being registered in the presence of MHC Ashok Kumar 120.”

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner is implicated for being the son of one Leela Krishan Mehta against whom another case under the provisions of Prevention of corruption Act was lodged. In the said FIR, the petitioner was not even named but was later on roped in falsely. The father of the petitioner expired on 15.01.2023 and the petitioner was not even an employee of Post Office where the alleged fraud took place. Instant FIR is only registered after petitioner's family got interim bail in FIR No.601 dated 30.11.2023. The mother of the present petitioner, who is a co-accused in the present FIR, already has been granted the concession of anticipatory bail vide order dated 17.12.2024 (Annexure P.8) passed by this Court.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State, who does not controvert the aforesaid fact but opposes the grant of anticipatory bail to the petitioner.

4. Analysis

Be that as it may, considering the facts of the present case wherein the petitioner initially was not named in the FIR, coupled with the fact that the mother namely Usha Rani of the petitioner, who is co-accused in present FIR, has already been granted the concession of anticipatory bail vide order dated



17.12.2024 (Annexure P.8) passed by this Court, nothing has been recovered from the present petitioner, custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one



week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

03.03.2025
manoj

- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No