



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

CRM-M No.18421 of 2025
Date of decision: 24th April, 2025

Ravi Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.334 dated 24.09.2023 under Sections 120-B, 406, 420, 467, 468, 506 of the IPC registered at Police Station Sarai Khawaja, District Faridabad.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant case, which essentially pertains to a civil dispute concerning the sale of immovable property situated in Gautam Budh Nagar, Uttar Pradesh. It is submitted that the petitioner is alleged to have executed multiple agreements to sell with respect to the same plot of land, thereby purportedly inducing the complainant to part with the substantial amount of ₹ 2,18,62,500/-.

3. Drawing the attention of this Court to the FIR annexed as Annexure P-1, learned counsel for the petitioner argues that the dispute

is purely civil in nature and the registration of the FIR, almost 2 years after the alleged transaction, evidences an afterthought aimed at giving a criminal colour to a failed civil arrangement.

4. It is further submitted that the essential ingredient of dishonest intention at the inception of the transaction, critical for attracting the offences under sections 406 and 420 IPC, is conspicuously absent in the present case. The petitioner, it is contended, was introduced into the transaction by the co-accused Neelam Verma, who not only orchestrated the dealings but also received the major portion of the consideration.

5. Learned counsel further asserts that the petitioner did not derive substantial benefit from the transaction and, in fact, returned an amount of ₹27,10,000/- to the complainant through a post-dated cheque, which was acknowledged by the complainant before the Court on 18.03.2025. It is also urged that the complainant continued to engage with the accused over an extended period, and the belated registration of the FIR, following protracted negotiations and visits to the office of the co-accused, indicates an attempt to use the criminal process to exert pressure for recovery of money.

6. It has been further submitted that co-accused Neelam Verma has been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Faridabad and therefore, the petitioner also deserves similar protection.

7. On being put to notice, Mr. Rajat Gautam, Addl. Advocate General, Haryana has entered appearance on behalf of the State. Mr.H.S. Kasan, Advocate has put in appearance and filed his power of attorney on behalf of the complainant. They have vehemently opposed the prayer and submissions made by the learned counsel opposite.

8. Status report by way of an affidavit of Rajesh Lohan, HPS, ACP Sarai, District Faridabad has been filed in the Court, which is taken on record subject to all just exceptions and a copy thereof supplied to the counsel opposite.

9. Learned State counsel along with the learned counsel for the complainant have submitted that serious and specific allegations have been levelled against the petitioner, who, in active collusion with the co-accused, allegedly induced the complainant by misrepresenting the ownership and availability of the same immovable property to multiple persons.

10. It is urged that the deceptive design is apparent not merely from the execution of multiple agreements to sell in respect of the same plot, but also from the sophisticated manner in which funds were transferred, roles were concealed, and intermediaries were utilized to shield personal liability.

11. As regards the assertion of the petitioner of having returned a part of the amount, learned counsel for the complainant has pointed out that the post-dated cheque issued by the petitioner was dishonoured,

and no formal settlement was ever executed to substantiate the alleged refund.

12. It has been further submitted by the learned State counsel, on instructions, that the petitioner has repeatedly failed to join investigation despite issuance of notices, and his non-cooperative and evasive attitude necessitates custodial interrogation to uncover the broader conspiracy and the financial trail, especially given that multiple complaints have surfaced against him involving similar transactions.

13. I have heard learned counsel for the parties and perused the relevant material on record.

14. Prime facie, the material placed on record discloses serious and specific allegations against the petitioner. The accusation pertains to duping the complainant of an amount exceeding ₹2,18,62,500/- through a deliberate and carefully orchestrated plan, involving the execution of multiple agreements to sell the same immovable property. The nature of the allegations goes beyond a mere breach of contract and reflects a calculated attempt to mislead and induce monetary transfer under false representations.

15. Furthermore, the failure of the petitioner to honor the post-dated cheque, coupled with his evasive conduct during the investigation, further strengthens the case for his custodial interrogation. The complex and layered nature of the alleged transactions, the involvement of multiple parties and the emergence of similar complaints and that too in the NCR of Delhi, indicate the necessity for thorough investigation,

which cannot be effectively undertaken without custodial interrogation of the petitioner.

16. The argument that the matter is purely civil in nature does not merit acceptance at this stage, as the allegations prima facie disclose ingredients of criminality, including initial fraudulent intention and deceit.

17. Having regard to the totality including the gravity of allegations and magnitude of the alleged fraud, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner. The petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 24, 2025

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No