

2025.PHHC:054622



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22500-2025
DECIDED ON: 29.04.2025

MUNISH KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Manik Makkar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.70, dated 11.04.2025, under Sections 318(4) of BNS, 2023, registered at Police Station Lehra, District Sangrur (Annexure P-1).

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

“To, SSP Sangrur, Subject: for taking Legal action for committing fraud of Rs. 3 lakh from me in the guise of getting my transfer done by Munish Kumar. Mob: 98144-36872 Father: 98726-54764, Sir, I am Satrugan son of Mr. Jagannath resident of Lehragaga, District Sangrur. That I work as a scientist at village Kalpakkam, Tamil Nadu. Munish son of Prem Chand resident of Sangrur who works in a finance company. I met him at a function. In which he had to get me transferred from Indira Gandhi Center for Atomic Research to ISRO Allahabad. In which this person asked me to deposit Rs 7 lakhs, but

because I had less money, I transferred only Rs 3 lakhs to his bank account and asked him to deposit the rest later. When I asked, this person was lingering me. But now this person is neither talking to me nor is answering my phone. It seems to me that this person has cheated and defrauded me under the guise of my transfer. Therefore, I humbly request you to take appropriate legal action against this person and return my defrauded amount. I will be very grateful to you. With thanks Applicant SD/'

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the complainant is the real uncle of the petitioner and on account of discord between two relatives the instant FIR has been lodged out of a liability which is not criminal in nature at all by any stretch of imagination. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jastej Singh, DAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner has committed a fraud of Rs.3 lacs with the complainant on the pretext of getting him transferred.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that on account of discord between the two relatives, the instant FIR has been registered. Even otherwise this Court is of the view that the complainant has lent Rs.3 lacs to the petitioner with the hope of getting higher interest for the said money and this greed transferred the

money to the account of the petitioner, but there is no writing to that effect between the two.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, 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. 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, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

29.04.2025

Meenu

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