206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24517-2025
Reserved on: 01.09.2025
Pronounced on: 12.09.2025

RAJESH ...PETITIONER

VERSUS

STATE OF HARYANA …RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Munish Kumar Garg, Advocate for the complainant.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
457	19.08.2024	City Tohana, District Fatehabad	406/420 of IPC, 1860

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of BNSS, 2023, seeking anticipatory bail.

2. Per paragraph 25 of the bail petition, the petitioner has no criminal antecedents. However, as per para 12 of the status report, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	113	06.09.2020	406/506 IPC	Women Police Station, Kaithal
2.	700	27.10.2024	420/406 IPC	Azad Nagar, Hisar

3. The facts and allegations are being taken from the status report dated 27.07.2025 by the State, which reads as follows:

> *"That the brief facts of the case are that the present case was registered on the basis of application moved by complainant Sunita Devi (complainant) wife of Bharat Singh, resident of village Dangra, Tehsil Tohana, District Fatehabad for taking legal action for cheating regarding taking Rs. 5,00,000/- in order*

> *get a job and for giving threat to murder. It is stated that she is resident of aforesaid address. Rajesh Kumar (petitioner- accused) son of Parkash, resident of Valmiki Mandir, Pipaltha, District Jind, who was in relation to her as per her village known, was residing in a rented house near Nandi Gaushala about seven months earlier and he told the complainant that he has good relations with government employees and in Haryana Staff Selection Commission and he can get her job in Haryana Government and he demanded Rs.5,00,000/- in this regard. He asked the complainant to get a vacancy for her son in Army and he has already got jobs for another persons. On this, on 17.09.2023, she gave Rs.1,00,000/- to him in his house alongwith her husband Pardeep Kumar and her brother-in-law (Devar) Anil Kumar son of Om Parkash, resident of village Jheel, District Jind. The accused demanded educational documents, Aadhar Card, family ID and other documents of Ravinder and Anurag in order to get filled the forms and also demanded Rs. 4,00,000/-. Thereafter, she gave Rs.1,00,000/- on 20.09.2023, Rs.1,00,000/- on 21.09.2023, Rs.1,00,000/- on 22.09.2023 and Rs. 1,00,000/- on 23.09.2023 and thereafter, the accused filled the forms and handed over the receipt to her. After passing long time, the accused did not give any information and he did not pick up her phone and he lingered on the mater on one pretext or the other. After some time, the complainant came to know that the accused has already cheated other persons and when the complainant demanded back her amount, he ran away from the rented house. Action was sought to be prayed against the accused". On the complaint of complainant, present case FIR has been registered under section 406, 420 of IPC against Rajesh Kumar (petitioner- accused) and investigation was carried out."*

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that there was only friendly transaction between the parties which has been given the colour of criminal offence and the matter was initially compromised between the parties with the respectables and the petitioner had agreed to return the friendly loan to the complainant at the earlier but payment could not be made as the car of the petitioner could not be sold. The petitioner's counsel prays for bail by imposing any stringent conditions. In case, he repeats the offence or commits any offence, where the sentence is more than 07 years, he would have no objection, if State files an application for cancellation of his bail. He further contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

(A). ROLE & CULPABILITY OF PETITIONER:-

(i) There are serious allegations against the present petitioner- accused Rajesh Kumar as he defrauded with complainant to the tune of Rs. 4,99,000/- on the pretext of securing Government job to her sons.

(ii) Petitioner has been specifically named by the complainant in her complaint.

(B). INCRIMINATING EVIDENCES:

(I) As per joint bank account statement of complainant (Annexure R-1) and her husband having account number XXX010025717858, it has been found that from 20.09.2023 to 23.09.2023, Rs.3,99,00/- have been deposed in the account of petitioner-accused Rajesh Kumar, details of which is given in the foregoing para."

REASONING:

7. Perusal of the bank record Annexure R-1 reproduced in para No.4 of the status report reflects that there is bank transaction qua the payment to petitioner. Explanation offered by petitioner is prima facie unsatisfactory. To unearth the truth, custodial interrogation appears to be necessary, moreover, recovery of proceeds of crime is also remain.

8. A perusal of the bail petition and the documents attached primafacie points towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10 **Petition dismissed**. Interim orders, if any, are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

12.09.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.