



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

212

CRM-M-25949-2025 (O&M)**Date of Decision: 10.07.2025**

Rajat Sood

.....Petitioner

Versus

Union Territory, Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ankur Malik, Advocate and
Mr. Monu Sharma, Advocate
for the petitioner.

Mr. Virat Rana, Addl. P.P. U.T. Chandigarh.

Ms. Sonu Giri, Advocate for *de facto* complainant.

MAHABIR SINGH SINDHU, J.

Present petition 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.124 dated 21.11.2024, under
Section 420 of Indian Penal Code, 1860 (for short 'IPC') (Section
120-B of IPC added later on), registered at Police Station East Sector-
26, Chandigarh.

2. Allegations are that petitioner has duped *de facto*
complainant-Rajneesh Luthra to tune of Rs.5,50,000/- on the pretext of
sending him abroad i.e. Canada.



3. Contends that petitioner was granted interim bail by this Court on 13.05.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel on instructions from quarter concerned and submits that his custodial interrogation is not required at this stage.

5. *Per contra*, learned counsel for complainant opposed the prayer while submitting that petitioner is attempting to influence investigation and intimidated the complainant party.

6. Heard learned counsel for the parties and perused the paper-book.

7. It transpires that while issuing notice of motion, petitioner was granted interim protection by this Court on 13.05.2025 and the order reads as under:-

“While making reference to affidavit/undertaking dated 03.07.2023 (P-6) submits that de facto complainant desired to get admission in Kalinga University, Chhatisgarh and in this regard petitioner deposited an amount of Rs.1,00,000/- on 01.08.2023 and remaining amount of Rs.1,20,000/- was paid subsequently on different dates.

Notice of motion.

Mr. Virat Rana, Addl.P.P, U.T Chandigarh, accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 10.07.2025.

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



8. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.

9. Since State is not asking for custodial interrogation, therefore, the objection of complainant stands rejected.

10. 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 13.05.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

11. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

12. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

13. 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.

10.07.2025

Ithlesh

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No