



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

210

CRM-M-31240-2025

Date of decision: 6th August, 2025

Sanjeev Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kapil Gupta, Advocate for the petitioner.
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 270 dated 20.05.2025 registered under Sections 316(2) and 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Krishna gate Thanesar, District Kurukshetra.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Tarun alleging therein that the petitioner who had met him in the shop of his friend had represented that he was engaged in the business of sale and purchase of old/new vehicles. Since the petitioner was interested to buy one car, he asked the petitioner about it, and then the petitioner allured him to part with a sum of Rs. 2,64,000/- by representing that one new car could be made available to him on lesser rates. He even showed a *Baleno* car to him and disclosed its worth to be Rs. 4,50,000/-. Thereafter, he also convinced the complainant to lend a sum of Rs. 50,000/- for the purpose of the treatment of his father. Gradually, he took



an amount of Rs. 5,00,000/- from him but did not supply the vehicle to him, and on repeated insistence of the complainant, he started making excuses. The complainant made inquiries and come to know that the petitioner had cheated several other persons by adopting the same way. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail which has been dismissed by the Court of Additional Sessions Judge, Kurukshetra, vide order dated 27.05.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He himself is a victim of cheating and criminal breach of trust at the hands of the complainant since the latter refused to take delivery of car which he had agreed to purchase and caused loss to him. The dispute between the parties is of civil nature. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. A settlement has been arrived at between the parties and in pursuance, thereof, he has given a sum of Rs. 1,00,000/- to the complainant. He would abide by the terms of the agreement. It is, therefore, urged that he deserves to be extended benefit of pre-arrest bail.

4. It will be relevant to mention here that on joint request of both the sides, the matter had been sent to Mediation and Consolidation Centre of this Court vide order dated 09.07.2025 and as per the report received from the Mediation and Consolidation Centre, the matter has been settled and a sum of Rs. 1,00,000/- has been given by the petitioner to the complainant and has agreed to repay the entire disputed amount in installments. Learned counsel for respondent No. 2 present in court has affirmed the factum of



compromise.

5. In view of the above discussed circumstances, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required and a case is made out for release of the petitioner on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his appearing before Investigating/Arresting officer within a period of ten days and shall join as and when required and the following conditions:-

(i) the petitioner shall cooperate with the investigation and shall appear before the investigating officer/arresting officer as and when required.

(ii) he 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/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

6. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[MANISHA BATRA]
JUDGE

6th August, 2025

Parveen Sharma

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