**CRM-M-31846-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.205****Case No. : CRM-M-31846-2025****Decided On : August 26, 2025**

Raj Singh and another Petitioners
vs.
State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. Ashit Malik, Advocate
for the petitioners.

Mr. R. K. Singla, Addl. A. G., Haryana.

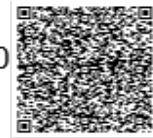
Mr. Vivek Goyal, Advocate
for the complainant.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioners in FIR No.113 dated 10.05.2025, under Sections 406, 420 IPC, 1860, registered at Police Station Chhappar, District Yamuna Nagar.

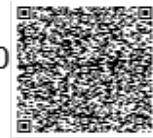
The brief facts of the case are that the instant FIR was registered on the basis of complaint made by one Akshay Aggarwal to DGP Haryana, alleging usurping an amount of Rs.97,55,000/- by the petitioners and other co-accused under the pretext of selling land in favour of the complainant. The petitioners and their co-accused hatched conspiracy and executed an agreement to sell dated 18.09.2023, qua the land measuring 24



kanals 04 marlas to the complainant and one Pawan Kumar and in lieu thereof, received an amount of Rs.48,30,000/- as earnest money. Since there was bank loan, they also received amount of Rs.39,25,000/- from the complainant to clear the said loan. However, neither the loan was cleared by them nor sale deed was executed in favour of the complainant party, thus duping them of a huge amount of Rs.97,55,000/-.

Learned counsel for the petitioners contended that the alleged agreement dated 18.09.2023 and the receipts allegedly issued by the petitioners had not been signed by them. They had not received any amount from the complainants, as alleged. They are only co-sharers in the land in question and are still in possession of the same. Moreover, the stipulated date for execution of the alleged agreement to sell is 30.03.2026, which is yet to come. The alleged cheques, given by the complainants, have not been produced before the bank so far. The online payments were received only in the account of co-accused Dushyant (nephew of the petitioners). The bank loan also stood in the name of other co-accused i.e. Karam Singh, Davinder Singh and Parkasho Devi. Learned counsel further submitted that the petitioners are ready and willing to join the investigation. Since they did not receive any amount from the complainants, as alleged, no question of any recovery from them arises. He further urged that custodial interrogation of the petitioners is not required for any purpose and therefore, they be granted concession of anticipatory bail.

In support of his contentions, learned counsel for the petitioners has relied upon a judgment dated 22.07.2024, passed by Hon'ble Supreme Court in **Radheshyam and others vs. State of Rajasthan and**

**another – 2024 SCC Online SC 2311.**

Per Contra, learned State counsel and learned counsel for the complainant opposed the present bail petition while contending that both the petitioners have been named in the FIR. They are main accused and under the well-planned criminal conspiracy, they along with other co-accused, executed agreement to sell dated 18.09.2023 for selling 24 kanals 04 marlas land in favour of the complainants and in lieu thereof and for clearing the bank loan, received amount of Rs.97,55,000/- from them. However, neither they executed sale deed nor returned the said amount to the complainants. It is further submitted that custodial interrogation of the petitioners is required in order to recover the aforesaid amount. If the petitioners are admitted to anticipatory bail, there is high probability of their fleeing or not co-operating with the investigating agency. So, prayer for dismissal of the instant petition has been made.

Heard.

Thus, the petitioners allegedly hatched criminal conspiracy with co-accused and in pursuance of said criminal conspiracy, executed agreement to sell dated 18.09.2023 qua land measuring 24 kanals 04 marlas and duped complainants of sum of Rs.97,55,000/-, under grab of earnest money and clearing the bank loan, by cheating and defrauding the complainants.

Keeping in view the aforesaid, no ground for granting anticipatory bail to the petitioners is made out. Accordingly, the present petition stands dismissed.

The case law, relied by the counsel for the petitioners, does



not come to rescue of the petitioners being distinguishable from facts and circumstances of the case.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

August 26, 2025

monika

(SUKHVINDER KAUR)
JUDGE

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