

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33174-2025 (O/M)
Date of decision : 03.09.2025

Sarvesh Yadav Petitioner

Versus
State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present :- Mr. Vishal Singh, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG Haryana.

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SANJAY VASHISTH, J. (ORAL)

1. Apprehending his arrest in FIR No. 404 dated 29.09.2023, registered for offences punishable under Sections 406, 420, 467, 468, 471 and 120-B of IPC at Police Station Faridabad Central, Faridabad, District Faridabad, the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking pre arrest bail.
2. On 24.06.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.) is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder :-

<i>Name and age of petitioner(s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Sarvesh Yadav aged about 37 years</i>	<i>404</i>	<i>29.09.2023</i>	<i>406, 420, 467, 468, 471, 120-B of IPC</i>	<i>Faridabad Central</i>	<i>Faridabad</i>

2. Learned counsel for the petitioner, inter alia, contends that initially, petitioner and complainant were partners for running the business under the name of M/s Reflux Tech Industries (GSTIN No. 06ABAFR0576K1Z3) with 50% share each. Said partnership was dissolved on 07.09.2021, and thereafter, a new partner was inducted namely Ashok Kumar Singh.

Further submits that complaint has been moved by the complainant – Vishal Parmar in the month of November, 2022 i.e. after a period of more than one year, with the allegations that signatures in the bank account have been changed at the instance of the petitioner.

3. *Counsel for the petitioner also submits that in fact, after dissolution of the partnership, a new partner was inducted and signatures were freshly required for operating the bank account.*

4. *Further submits that co-accused of the petitioner namely Ashok Kumar Singh, who was subsequently inducted as a partner, has already been granted interim bail by this Court, vide order dated 29.05.2025 passed in CRM-M-31004-2025, and the matter is now fixed for 03.09.2025.*

Submissions made by counsel for the petitioner, recorded in the order dated 29.05.2025 passed in CRM-M-31004-2025, are reproduced here under :-

“ Learned counsel for the petitioner contends that the complainant-Vishal Parmar had earlier filed a Civil Suit for declaration and seeking permanent injunction as well as mandatory injunction (Annexure P-5). The application filed by the complainant seeking rendition of accounts was dismissed by the learned Civil Judge, Faridabad vide order dated 05.05.2023 (Annexure P-6). Even in the said order, the petitioner has alleged that the Dissolution Deed is fabricated. The petitioner had been inducted as partner by way of the aforesaid Dissolution Deed. The allegations were not believed by the Civil Court, as discussed in para No.6 of Annexure P-6.”

5. *Additionally, counsel for the petitioner submits that actually, dispute is of civil nature arising from the business deal of the petitioner and the complainant. Moreover, petitioner is ready to join the investigation and fully cooperate with the investigating agency, if he is protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

6. *Notice of motion.*

7. *On advance notice, Mr. Rajiv Sidhu, DAG, Haryana, puts in appearance on behalf of the respondent-State, and seeks some time to status report in the matter.*

8. *Adjourned to 03.09.2025.*

To be heard along with CRM-M-31004-2025.

9. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482 (2) of BNSS, 2023 (earlier Section 438 (2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 24.06.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Bhanwar Singh, Police Station Faridabad Central, Faridabad confirms the said averment made by counsel for the petitioner of joining the investigation on 26.06.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 24.06.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.09.2025
sjks

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