

2025:PHHC:077593



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

**CRM-M-33717-2025
DECIDED ON: 02.07.2025**

ANMOL SHARMA**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Namit Khurana, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.812, dated 21.08.2024, under Sections 420, 406, 467, 468, 471, 120-B of IPC, 1860 registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the entire loan amount has been duly repaid, and a No Dues Certificate was issued on 24.04.2025. It is further submitted that the petitioner has acted in good faith and has duly fulfilled all her obligations under the loan agreement. Counsel contends that the present dispute, being purely civil in nature arising from a loan transaction, has been wrongly given a criminal complexion, despite the complete repayment and

absence of any *mens rea*. He further submits, on instructions, that the petitioner is ready and willing to cooperate with the investigation and shall appear as and when required.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition to highlight the misuse of certain documents at the behest of the petitioner.

3. **Analysis**

Be that as it may, having given due consideration to the submissions advanced, particularly the fact that a No Dues Certificate was issued on 24.04.2025, this Court is of the view that custodial interrogation of the petitioner is not warranted at this stage. Although, *prima facie*, the ingredients of Sections 420, 468, and 471 IPC may be attracted, but on the other hand it is evident that the entire loan amount stands repaid and, to a considerable extent, the grievance of the complainant appears to have been redressed. The remaining issues are a matter of trial and shall be adjudicated upon through proper evidence. In the absence of any requirement for further recovery from the petitioner, subjecting her to incarceration would serve no useful purpose. Accordingly, this Court finds no cogent or compelling reason to deny bail to the petitioner, particularly when she has expressed bona fide intent, and has undertaken to join and cooperate with the investigation so as to enable timely submission of the final report by the Investigating Agency.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within

a period of one week from today, on furnishing of personal/surety bonds to her satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

02.07.2025

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