

2025:PHHC:079689



109

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

**CRM-M-34867-2025
DECIDED ON: 07.07.2025**

RAJESH KUMAR JAIN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Abdul Aziz, 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.26, dated 28.01.2025, under Sections 408, 420, 120-B of IPC and offence under Sections 201, 468, 471 of IPC was added on, registered at Police Station Ambala City, District Ambala.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement made by co-accused Neeraj Bali. He further submits that no role whatsoever has been attributed to the petitioner and he is neither a signatory authority to the excel sheet

nor any amount has been deposited in the account of the petitioner. He undertakes, 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 stating that the petitioner in connivance with the co-accused Neeraj Bali actively involved in the commissioning of offence relating to the embezzlement of funds belonging to the school. He further submits that to recovery the embezzled amount, custodial interrogation of the petitioner is required.

3. **Analysis**

Be that as it may, upon due consideration of the submissions made and, in particular, taking note of the fact that the petitioner's role appears to be limited to the preparation of an Excel sheet, with no incriminating material brought on record by the State to establish his involvement in the alleged offence, this Court is of the considered view that custodial interrogation of the petitioner is not warranted.

In the light of above, this Court finds no cogent or compelling reason to deny bail to the petitioner, particularly when he 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

07.07.2025
Meenu

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