



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

209

CRM-M-38715-2025

Date of decision: 19th September, 2025

Rahul Garg

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Kathuria, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Gaurav Goyal, Advocate for the complainant.

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. 127 dated 10.06.2025 registered under Sections 318(4), 336(2), 340(2) and 336 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Sunam, District Sangrur.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Ravi Pal Singh alleging that he was a builder by profession. The petitioner who is brother-in-law of accused Sahil Goyal as well as Sahil Goyal had made offer to supply cement to him at reasonable rates. The complainant had agreed to the same. A deal was struck. The complainant gave total amount of Rs. 52,08,500/- by way of



cheques and cash to the petitioner and co-accused for the purpose of supply of cement bags as agreed, the petitioner and the co-accused had to give 16,275 bags of ACC cement to him but only 700 bags were supplied. The bills which were issued qua those cement bags were also found to be fake bills and thereby the petitioner and the co-accused caused wrongful loss to the tune of Rs. 49,84,000/- to the complainant. On his complaint, the aforementioned FIR was registered. Investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Sangrur which was dismissed vide order dated 14.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has nothing to do with M/s Goyal Traders with whom the complainant had entered into an agreement to buy cement. He has been implicated in this case due to being brother-in-law of co-accused Sahil Goyal, who is proprietor of M/s Goyal Traders. He is not beneficiary of any transaction. The transaction of money as shown in his bank account between him and the co-accused was only on account of rent of house taken by the co-accused on lease. The ingredients for commission of the subject offences have not been attracted qua against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

4. Reply has been filed by respondent-State. It is argued by learned State counsel assisted by learned counsel for the complainant that there are serious and specific allegations against the petitioner and the co-



accused. The investigation has revealed that he had obtained a sum of Rs. 1,77,000/- from the account of M/s Goyal Traders. Out of the amount of money received from the complainant in connivance with him, the co-accused had issued fake bills qua sale of cement bags to the complainant. Inducement for purchase of cement had been made not only by the co-accused but by the petitioner as well. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused is alleged to have induced the complainant to part with a sum of Rs. 52,08,500/- on the premise that they would be supplying 16275 bags of ACC cement to the complainant, however, they are alleged to have duped him a sum of Rs. 49,84,000/- by not supplying cement bags and giving fake bills. The petitioner might not have been nominated as director/proprietor/partner of the firm M/s Goyal Traders which is stated to be proprietary concern of the co-accused, however, the allegations against him are the specific and *prima facie* show his active complicity in the crime. For unearthing the truth and for conducting thorough investigation, custodial interrogation of the petitioner is must. In case his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a



favourable order under Section 482 of BNSS. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th September, 2025
Parveen Sharma

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