

2025 PHHC:098597



103

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

**CRM-M-41662-2025
DECIDED ON: 05.08.2025**

TUSHAR BANSAL**.....PETITIONER****VERSUS****STATE OF HARYANA****....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL****Present: Mr. Deepak Gupta, 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. 124 dated 23.02.2025 (Annexure P-1) under Sections 316(2), 318(4) of BNS, 2023, registered at Police Station Yamuna Nagar City.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that a substantial sum of ₹88 lakhs, out of the alleged total amount of ₹1 crore 31 lakhs, has already been returned to the complainant. As regards the remaining amount, there exists a dispute, with the petitioner contending that the balance pertains to consideration which has already been repaid to the complainant.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Sushil Bhardwaj, Addl. AG. Haryana accepts notice on behalf of respondent/State, whereas Mr. Deepak Girhotra,

Advocate has put in appearance on behalf of the complainant and filed his *vakalatnama*, which is taken on record.

Learned State could candidly submit that nothing is to be recovered from the petitioner. Though, he prays for dismissal of the present petition on the ground that the petitioner is involved in a serious offence of cheating and criminal breach of trust.

3. **Analysis**

Be that as it may, having given due consideration to the submissions advanced, particularly to the fact that the substantial amount of Rs.80 lacs out of alleged amount of Rs.1 crore 30 lacs, has already been paid to the complainant and admittedly nothing is to be recovered from the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. 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 subsection (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

05.08.2025

Meenu

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No