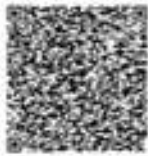


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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

216+219

1.CRM-M-43668-2025 (O&M)

Sushil ...Petitioner

Versus

State of Haryana ...Respondent

2.CRM-M-45365-2025 (O&M)

Parmal ...Petitioner

Versus

State of Haryana ...Respondent

Date of decision : 28.10.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

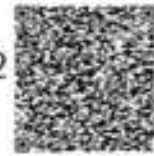
Present:- Mr. J. S. Saneta, Advocate
for the petitioners.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

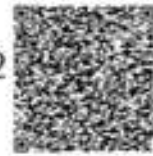
1. This common order shall dispose of above mentioned two petitions as they arise out of the same FIR and seek similar relief.
2. Through the instant petitions, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), the petitioners seek grant of anticipatory bail in case arising out of FIR No. 108 dated 30.03.2025, registered under Sections 308(2) and 308(6) of Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*) at Police Station Madhuban, District Karnal.

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3. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Jasbir alleging that his brother Dilbagh Singh and nephew Lovepreet had been nominated as accused in a case registered at Police Station Madhuban under the provisions of the NDPS Act and the Investigating Officer had visited his house on 14.08.2024 in that regard. The complainant told about this fact to his cousin brother Satnam, who had further discussed the matter with his cousin Jagminder Singh @ Rinka, who had represented to the complainant that he knew one Parmal (petitioner herein) who was having affinity with police officials and could help them. Petitioner Parmal had raised demand of a sum of Rs.3 Lakhs for the purpose of removal of the names of brother and nephew of the complainant from the aforementioned case. An amount of Rs. 3 Lakhs was settled to be given, which was so given by Jagminder Singh to petitioner Sushil on asking of petitioner Parmal. The brother of the petitioner was, however, arrested on 03.02.2025 and Lovepreet had been extended benefit of anticipatory bail. By alleging that petitioners had extracted a sum of Rs. 3 Lakhs by extending threat of arrest of his brother and nephew by the police and had cheated him, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending their arrest, the petitioners moved applications for grant of anticipatory bail, which was dismissed by the Court of learned Additional Sessions Judge, Karnal, vide orders dated 01.08.2025 and 13.08.2025, respectively.

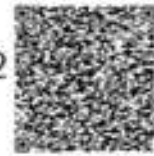
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4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. In fact, they along with Jagminder Singh @ Rinka, cousin brother of the complainant, had been involved in the business of sale/purchase of tractors from the last three years. Vijay, brother of petitioner Sushil, had made online transaction in favour of Jagminder Singh and petitioner Sushil had lent money to one Virender and as a security for repayment of that money, Jagminder Singh @ Rinka had executed an agreement qua his plot in favour of petitioner Sushil and Virender Singh had also sworn an affidavit. The said agreement had been signed by Jagminder Singh. The above named Virender Singh had failed to repay the money. When the petitioner asked Jagminder Singh to ensure recovery of money from Virender Singh, he had involved him as well as petitioner Parmal falsely in this case. It is argued that the petitioners did not receive any money from Jagminder Singh or any other person on the premise of getting the names of the brother and nephew of the complainant removed from the case. The allegations do not make out any case for commission of offences punishable under Section 308 (2) and (6) of BNS. They are ready to join the investigation. No recovery is to be effected from them. Their custodial interrogation is not required. The subject offences are triable by Magistrate. It is, therefore, urged that the petitions deserve to be allowed.

5. Separate status reports have been filed. It is argued by learned State counsel that there are serious and specific allegations against the petitioners, who in connivance with each other, had extracted a sum of Rs. 3 Lakhs from the complainant by ensuring that they would get the names of

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brother and nephew of the complainant removed from a case registered under the provisions of the NDPS Act against them but did not do so. By exerting fear of police arrest, money had been extorted from the complainant. For effecting recovery of the said money as well as for conducting thorough and proper investigation in the matter, custodial interrogation of the petitioners is must. No extraordinary and exceptional circumstance for grant of bail is made out. Call details records of the complainant and petitioner Parmal have been collected, which show their complicity in the crime. The case is at its initial stage. With these broad submissions, it is urged that the petitions do not deserve to be allowed.

6. This Court has heard the rival submissions.

7. Petitioner Parmal is alleged to have represented to the complainant that on receipt of a sum of Rs.3 Lakhs, he would get the names of the brother and nephew of the complainant removed from an FIR registered at Police Station Madhuban against them. As per the allegations, when the complainant along with some other persons had gone to give money to petitioner Parmal, he did not meet them and instead thereof, petitioner Sushil had met them and had received the money by saying that he was cousin brother of petitioner Parmal and money was to be given to him and then they given the said amount of money to him. There is no material on record to show that the abovementioned amount of money had been given to either of the petitioners by the complainant. Neither any receipt nor source of such money has been disclosed. As such, it is only after thorough assessment of the evidence to be produced during the trial that it can be concluded as to whether

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the provisions of Section 308(2) and 308(6) of BNS are attracted in this case or not? Given the nature of the allegations as levelled against the petitioners and the part attributed to them, this Court is of the considered opinion that no case for pre-trial incarceration of the petitioners is made out. As such, the present petitions are allowed. The petitioners are granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. They are directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on bail subject to his/her satisfaction.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petitions and the same shall have no bearing on the merits of the case.

9. Let a photocopy of this order be placed on the file of the connected case.

28.10.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No