

2025:PHHC:109835



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

**CRM-M-44998-2025 (O&M)
DECIDED ON: 21.08.2025**

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

Present: Mr. (Dr) Rau PS Girwar, Advocate,
Ms. Archana Arora Rau, Advocate,
Ms. K.T. Rau, Advocate,
Mr. Ashish Sharma, Advocate for the petitioner.

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

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 (438 Cr.P.C.) for grant of anticipatory bail to the petitioner in FIR No. 127 dated 25.07.2025 under Sections 420, 409, 467, 468 and 471 of IPC, registered at Police Station Sector-7, Panchkula.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The alleged offence, as per the FIR, pertains to the period from 01.04.2020 to 31.08.2020, during which the petitioner was posted as Caretaker at the Police Headquarters, Panchkula. He further submits that a preliminary inquiry is conducted annually, along with examination of the budget and sanctions granted while preparing the department's annual statement of accounts. However, after a lapse of four to five years, on the basis of an

anonymous complaint, the instant FIR has been lodged, making the petitioner a scapegoat without assigning any responsibility to other officials in the department. He asserts that even if the contents of the FIR are taken as gospel truth, it is highly improbable that the petitioner alone is responsible for causing the alleged fraud and deriving undue benefit by wrongful means, resulting in a loss to the public exchequer. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

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. He prays for dismissal of the present petition on the ground that the petitioner has embezzled the public funds and the investigation is still pending, therefore, his custodial interrogation is required. On a specific query put by this Court, he failed to provide an answer regarding the number of other accused police officials involved in the commission of the alleged offence.

3. **Analysis**

In the present case, it remains a fact that the petitioner cannot be declared guilty unless the offence against him is proven beyond reasonable doubt during the trial, particularly in light of the significant delay of nearly five years in lodging the FIR, which itself is based on an anonymous complaint lacking any shred of genuineness or veracity.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, 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 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

21.08.2025

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Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No