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

CRM-M No.45931 of 2025
Date of decision: 22.08.2025

Suresh Kumar ... Petitioner

Vs.

State of Haryana and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Naveen Sheokand, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

Mr. Sarfraj Hussain, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
251	23.07.2025	Jind Sadar, District Jind, Haryana	316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of the present

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petition are that the aforementioned FIR has been registered on the basis of complaint lodged by complainant Khushi Ram alleging that he had been induced by the complainant to part with a sum of Rs.23 lakhs on the premise of providing a job to his daughter. An amount of Rs.4 lakhs was got deposited by the petitioner in his own bank account and the remaining amount of Rs.19 lakhs was got transferred by him in the bank account of co-accused Harish Sharma. However, neither any job was provided to his daughter nor his money was returned and the petitioner had been extending threats to him. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Jind vide order dated 02.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. On 17.01.2025, he was performing his official duty at Raiwali Ambala and, therefore, the question of making any inducement to the complainant did not arise. The allegations against him are quite vague. There is delay in lodging of the FIR which has not been explained. The complainant himself had informed the petitioner that the accused Harish Sharma was arranging a job for his daughter and it was the complainant who had called the petitioner to his house to gain confidence of Harish Sharma. It was on asking of the

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complainant that he had given an amount of Rs.1 lakh in cash to the complainant for giving the same to Harish Sharma and it was that money which was returned by the complainant by transferring in his bank account. The amount of Rs.3 lakhs was transferred in his account by the complainant without his permission and the same amount had been transferred by the petitioner in the account of co-accused Harish Sharma on request of the complainant. It was accused Harish Sharma who had received the entire money and had duped the complainant and not the petitioner. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. As such, it is urged that he deserves to be extended the benefit of pre arrest bail.

4. Notice of motion.

5. Ms. Himani Arora, DAG, Haryana, has advance notice of the petition and is ready to argue the matter. At this stage, power of attorney on behalf of complainant has also been filed. Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are specific allegations against the petitioner. An amount of Rs.4 lakhs was received by him. The petitioner has not been able to explain the reason for receipt of that amount. There is Whatsapp chat showing that the petitioner was the mastermind and it was on his asking that the complainant had given huge amount of Rs.19 lakhs to the

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co-accused Harish Sharma and Rs.4 lakhs to the petitioner. For conducting proper investigation, his custodial interrogation is must. Even otherwise, there is no exceptional circumstance to extend the benefit of pre arrest bail to the petitioner. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have induced the complainant to part with a sum of Rs.23 lakhs on the pretext of providing a Government job to his daughter. Out of the said amount, an amount of Rs.19 lakhs was got transferred in the bank account of the co-accused on the asking of the petitioner. The allegations against the petitioner are specific in nature. The case is at its nascent stage. For conducting a deeper probe, the custodial interrogation of the petitioner is must. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. 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.



8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

22.08.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No