



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

1. CRM-M No.50048 of 2024

Arjun Dass & others

... Petitioners

Versus

State of Haryana & another

... Respondents

2. CRM-M No.50145 of 2024

Anil Kumar & others

... Petitioners

Versus

State of Haryana & another

... Respondents

Date of decision: 6th March, 2025

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mohan Singla, Advocate for the petitioners.

Mr. Rajat Gautam, Addl. Advocate General, Haryana
for the respondent/State.

Mr. Naveen Bhardwaj, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.473 dated 27.08.2024 under Sections 120-B, 420, 467, 468, 471 of the IPC registered at Police Station City Tohana, District Fatehabad. Since both these petitions have arisen out of the same FIR,

they are being taken up together for disposal by way of this common order.

2. Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case, which arises from an ongoing dispute between the trustees and members of the Society regarding the management of the Dharamshala in question. It is further submitted that civil litigation, including an eviction suit and a suit for declaration, is pending before the Civil Court. The complainant has lodged the present FIR only with the intent to obstruct the petitioners from pursuing their civil claims against the society and its office bearers.

3. Learned counsel also submits that the petitioners operate the shops on the premises of the Dharamshala under mortgage/lease agreements and sustain themselves on these businesses.

4. Furthermore, it is submitted that in compliance with the order dated 04.10.2024, vide which the petitioners were directed to join the investigation, they have duly complied with the said order, hence order dated 04.10.2024 be made absolute.

5. Status report by way of an affidavit of Nar Singh, HPS, DSP Fatehabad-II has been separately filed in both these cases today in the Court, which is taken on record subject to all just exceptions and a copy thereof supplied to learned counsel opposite.

6. Learned State counsel has, on instructions from SI Hanuman, not disputed that the petitioners have joined investigation and

cooperated with the Investigating Agency in compliance of order dated 04.10.2024. It has been further submitted, on instructions, that the custodial interrogation of petitioners Anil Kumar and Arjun Dass is not required, however custodial interrogation of petitioners Desraj and Sanjiv Kumar, who are President and Accountant respectively, of the alleged fake Trust, would be required since the recovery of the disputed amount has not been made yet. However, it is not disputed by the learned State counsel, as per instructions received and even as per the averments made in the status report which has been filed in the Court today, that the bank account of the alleged Trust has been frozen.

7. In the given circumstances, since the petitioners have joined investigation and have cooperated with the Investigating Agency, both the petitions are allowed and the interim order dated 04.10.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
JUDGE

March 6, 2025
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No