



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-47936-2025(O&M)

Date of Decision:22.09.2025

Narinder Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Pankaj Bali, Advocate for the petitioner.

Ms. Himani Arora, D.A.G, Haryana.

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.172 dated 17.05.2025 under Sections 406 and 420 of IPC registered at Police Station Madhuban, District Karnal.

2. The aforesaid FIR was registered on the basis of a complaint lodged by the complainant Shivam, alleging that the petitioner, who was residing in his neighbourhood, had induced his father to send him abroad on a work permit. On that premise, the petitioner initially received cash amount of Rs.2,00,000/- from his father. An amount of Rs.1,00,000/- was transferred to his own bank account on 19.09.2023, and approximately Rs.2,00,000/- was transferred to the accounts of certain other persons. The complainant along with four other persons, was sent from Calcutta Airport to Thailand under the pretext that some agent would help him cross the



border into Thailand and leave him in Malaysia. On reaching Malaysia, the co-accused Rahul Pal met them who confiscated the complainant's passport along with all his cash. He was made to stay there for 2-3 months but no work was provided.

3. The complainant further alleged that on asking the accused Rahul Pal to provide a work permit, he had raised demand of more money. A sum of Rs.50,000/- was given by the complainant after arranging the same from his family members. However, neither he nor his companions were provided any work; rather, they were illegally confined, and the aforesaid Rahul Pal also made a murderous assault upon the complainant with an intent to kill him. They were deported to Thailand from Malaysia and somehow managed to return to India. The complainant alleged that the petitioner, in connivance with Rahul Pal and others, had cheated and defrauded him.

4. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner filed an application for grant of pre-arrest bail, which was dismissed by the learned Additional Sessions Judge, Karnal, vide order dated 14.08.2025.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case. In fact, the petitioner had only taken a friendly loan of Rs.1,00,000/- from respondent No.2 i.e. the complainant. Out of the same, a sum of Rs.20,000/- had been returned through online transfer, whereas the remaining Rs.80,000/- had been



returned in cash. Subsequently, a similar amount was also returned during the course of investigation.

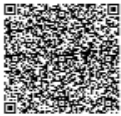
6. It is submitted that the dispute between the parties is of a civil nature, which has been given a criminal color. An enquiry had been conducted in the past, and a report (Annexure P-2) was filed to this effect; however, subsequently, the FIR was wrongly lodged against the petitioner.

7. Learned counsel for the petitioner submitted that the petitioner is ready and willing to cooperate with the investigation and that his custodial interrogation is not required. No recovery remains to be effected from the petitioner. The allegations pertain mainly to the accused Rahul Pal and not to the petitioner. It is, therefore, prayed that the petitioner be granted anticipatory bail.

8. The status report filed on behalf of the respondent-State is taken on record. Learned State counsel has submitted that, keeping in view the gravity of the allegations levelled against the petitioner and in order to conduct a thorough investigation, custodial interrogation of the petitioner is required. Accordingly, it is submitted that the petitioner does not deserve the concession of anticipatory bail.

9. This Court has heard the rival submissions made by learned counsel for the parties carefully.

10. The petitioner is alleged to have duped the complainant of a sum of Rs.5,00,000/- on the pretext of sending him to a European country and arranging a work permit for him. However, the complainant



was sent to Malaysia, where he was illegally confined, and was subsequently deported to Thailand.

11. The fact that a sum of Rs.1,00,000/- has been returned by the petitioner to the complainant/his father has not been disputed. At this stage, there is nothing to show that an amount of Rs.4,00,000/- had been given by the complainant in cash to the petitioner. In view of the nature of the allegations, this Court is of the opinion that pre-trial incarceration of the petitioner is not required, and a case is made out for granting pre-arrest bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to the condition that he will surrender before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

12. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

13. Pending application(s), if any, shall also stands disposed of.

22.09.2025

shweta

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No