

2025:PHHC:127726



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

**104**

**CRM-M-48215-2025 (O&M)  
Decided on:11.09.2025**

**Sandeep****...Petitioner****Versus****State of Haryana and another****...Respondents****Coram : Hon'ble Mr. Justice Rajesh Bhardwaj**

Present: Mr. Saurabh Dalal, Advocate,  
for the petitioner.

\*\*\*\*

**Rajesh Bhardwaj, J. (Oral)**

1. Prayer in the present petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner in a case FIR No.153 dated 03.06.2025, registered under Sections 420, 467, 468, 471 & 120-B of the IPC, 1860, at Police Station Badli, District Jhajjar.

2. Succinctly, the facts of the case are that the FIR in the present case has been lodged on the complaint made by Sunil and others, in which it was alleged that they came to know about accused Babita and her husband Sandeep through their sister Pinky. They were assured by them of getting a permanent government job as a primary teacher through Sarva Shiksha Abhiyan, for which they demanded Rs.7 lacs per candidate. All the three complainants paid Rs.7 lacs each to Sandeep and his wife Babita, out of which Rs.99,990/-, Rs.50,000/- and Rs.50,000/- were transferred through UPI on 15.11.2023, 26.11.2023 and 27.11.2023 respectively but later on, after paying Rs.21,00,000/- in total including cash, they found to have been issued fake joining letters. They worked only for 4-5 months and were given the salary for two months only. Thus, after having found themselves defrauded, the FIR was lodged with a request to take legal action against the accused persons. On registration of the FIR, the investigation commenced. Apprehending arrest, the

2025:PHHC:127726



petitioner approached the Court of learned Additional Sessions Judge, Jhajjar, for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 22.08.2025. Hence, aggrieved against the said order, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. It is submitted that the dispute, if any, is purely of a civil nature and no offence, as alleged in the FIR, is made out against the petitioner, however, the petitioner has been roped in the present case and he is ready to join the investigation. Thus, there being no *prima facie* case made out against the petitioner, he deserves to be granted concession of anticipatory bail.

4. Notice of motion.

5. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana, has accepted notice on behalf of the respondent-State and Mr. Jitender Nara, Advocate, has put in appearance on behalf of the complainants and filed his Vakalatnama, which is taken on record. He has submitted that the petitioner, in collusion with his wife, has not only defrauded the complainants for an handsome amount but he has also forged the fake joining letters and has also made payment of salary to them in a clandestine manner, which shows the gravity of offence and the petitioner and his wife may have more forged documents in their possession for cheating the other people and, thus, the present petition deserves to be dismissed.

6. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the complainants had fallen in the trap of the petitioner and his wife Babita who, with the intention to defraud them, issued fake joining letters to them and even paid salary for two months. It has also come on record that the petitioner did not join investigation despite

2025:PHHC:127726



various calls/notices by the investigating officer and, thus, custodial interrogation of the petitioner is very much necessary in order to recover/discover the forged documents and source thereof. Now a days, cases of fake joining letters in government job are being reported in various parts of the Country, especially in the State of Haryana, with scammers targeting unsuspecting job seekers, which also happened in the present case, in which complicity of the petitioner has been *prima facie* established. Thus, keeping in view the gravity and seriousness of the offences, the contentions raised by the learned counsel for the petitioner cannot be appreciated at this stage where he has approached this Court for the grant of concession of anticipatory bail. However, the same could be appreciated at the relevant stage.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

***“482. Direction for grant of bail to person apprehending arrest:***

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *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;*

2025:PHHC:127726



- (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 subsection (3) of section 480, as if the bail were granted under that section.”*

8. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

9. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632**, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established.

2025:PHHC:127726



The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in their favour. Resultantly, both the petitions, being devoid of any merit, are hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

**September 11, 2025**  
**vinod\***

**(Rajesh Bhardwaj)**  
**Judge**

Whether Speaking/Reasoned: NO/YES  
Whether Reportable: NO/YES