



CRM-M-50542-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 01.12.2025

Ram Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Salil Dev Singh Bali, Sr. Advocate with
Ms. Aarti Singh, Advocate
for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.72 dated 14.03.2025, under Sections 319, 318(4), 338, 336(3), 340, 61, 13 of BNS, at PS Civil Lines, District Hisar.
2. On 10.09.2025, following order was passed:
“(i) Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Ram Kumar, aged about 81 years	72	14.03.2025	319, 318(4), 338, 336(3), 340, 61, 13	Civil Lines	Hisar



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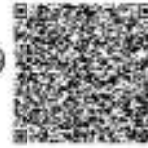
(ii) *Learned counsel for the petitioner, inter alia, contends that petitioner is a mentally ill and elderly person, aged about 81 years.*

It is submitted that petitioner’s son, namely Narendra, had already moved an application under Section 156(3) Cr.P.C. before the Area Magistrate, Hisar, on 04.03.2025, seeking registration of a case against (1) Narendra Bagdi, (2) Baljeet Master, (3) Pratap, (4) Rajesh, (5) Satish Kumar, (6) Umed Singh, (7) Krishan Kumar, and others. The said complaint pertains to allegations that Narendra Bagdi exploited the petitioner's old age and mental condition. The application is still pending consideration before the concerned court.

(iii) *It is further submitted that, although an agreement to sell was executed and an amount of Rs. 20 lakhs was credited into the petitioner's bank account, the said amount was subsequently withdrawn by co-accused Narendra Bagdi, who took the petitioner himself to the bank for this purpose. This fact can be verified through the CCTV footage from cameras already installed in the bank, which may be examined by the investigating agency.*

(iv) *The impugned FIR, which has been registered in connection with the same transaction, primarily levels allegations against Narendra Bagdi, who allegedly showed the land situated in village Nangthala to the complainant, Umed Singh (Ex-Sarpanch), while misrepresenting the petitioner as its owner. Even from a plain reading of the FIR, there is no allegation indicating that petitioner played any active role in alluring the complainant, demanding payment, or representing himself as the actual owner of the land. Due to his advanced age and deteriorating mental health, petitioner was completely unaware of the fraudulent transaction in which he was merely used as a tool by the main accused, Narendra Bagdi. The presence of Narendra Bagdi at the bank, at the time of withdrawal of the amount, prima facie suggests his direct involvement in the commission of fraud. In essence, petitioner himself appears to be a victim of deception and manipulation at the hands of the said co-accused.*

(v) *Learned counsel for the petitioner further highlights that complainant, Umed Singh, is himself facing approximately 14 other criminal cases,*

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details of which have been enumerated in paragraph No. 4 of the present petition.

It is submitted that custodial interrogation of the petitioner would serve no meaningful purpose, as entire investigation depends upon documentary evidence rather than any recoveries or disclosures requiring custodial detention. Moreover, petitioner is willing to join the investigation and fully cooperate with the investigating agency, provided he is granted protection from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

(vi) Notice of motion.

(vii) On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and Mr. Sankalp Gehlawat, Advocate, puts in appearance on behalf of the complainant.

(viii) Adjourned to 01.12.2025.

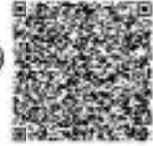
(ix) Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(x) Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner contends that in compliance to the order dated 10.09.2025 passed by this Court, the petitioner has joined the investigation on 16.10.2025.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 16.10.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner



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is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 10.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

01.12.2025

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Whether Speaking/Reasoned:

Whether Reportable:

YES/NO

YES/NO