



- 1 -

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-53299-2024
Date of decision: 27.05.2025

NAZEEN DEEN JARIAL ALIAS NAZIR DEEN

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. A.R. Nahar, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. S.S. Thakur, Advocate for the complainant.

SANJAY VASHISTH. J.(Oral)

1. Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS 2023 in criminal case having FIR No.66 dated 29.08.2024 registered under Sections 420, 120-B of IPC at Police Station Talwara, District Hoshiarpur.

2. On 25.10.2024, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS 2023 in criminal case having FIR No.66 dated 29.08.2024 registered under Sections 420, 120-B of IPC at Police Station Talwara, District Hoshiarpur.

The allegations in nutshell are that the petitioner induced the complainant to hand over Rs.15,00,000/- to him on the pretext of providing job to son of the complainant in Excise and Taxation Department, Punjab. On the assurance given by the petitioner, complainant handed over the aforesaid amount of Rs.15,00,000/- to the petitioner but thereafter petitioner failed to keep his promise and also refused to return the amount.

Counsel for the petitioner inter alia submits that petitioner is falsely implicated in the present case and he never came in contact of



- 2-

the complainant or his son and all the allegations levelled in the FIR are false. That there is no document with the complainant to show that he ever handed over amount of Rs.15,00,000/- to the petitioner. Counsel for the petitioner further submits that petitioner who is having no criminal history is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that the FIR in this case was registered after thorough inquiry and that the petitioner is required by the police for proper investigation of the case. However, the State counsel has not disputed the fact that the petitioner is having no criminal antecedents.

Mr. Sartaj Singh Thakur, Advocate puts in appearance on behalf of the complainant and has filed power of attorney which is taken on record. Counsel for the complainant submits that petitioner was running academy at Talwara Township, District Hoshiarpur and the complainant came into his contact and petitioner gave assurance to provide job to the son of the complainant in Excise and Taxation Department, Punjab and on that pretext petitioner took Rs.15,00,000/- from the complainant but thereafter he failed to do the needful and also refused to return the money. That the custodial interrogation of the petitioner is necessary to unearth the truth in the present case. Admittedly, there is no document showing the payment of Rs.15,00,000/- by the complainant to the petitioner.

In light of the above, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

At this stage counsel appearing on behalf of the complainant made prayer that matter be referred for mediation as there is



possibility of amicable settlement between the parties. Counsel appearing on behalf of the petitioner prays for time to seek instruction in this regard. Needful be done by the next date of hearing.

Now be listed on 13.11.2024.”

- 3. Learned counsel for the petitioner contends that in compliance of the order dated 25.10.2024, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.
- 4. It is also argued by the petitioner that, even if the allegations are taken to be correct on its face value, then the complainant, Jagir Singh, ought to have been implicated as an accused in the present case along with the petitioner.
- 5. Learned State counsel on instructions from the Investigating Officer, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.
- 6. Heard learned counsel for the parties.
- 7. Since the petitioner has joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 25.10.2024, passed by this Court is hereby made absolute.

However, 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. Accordingly, petition stands disposed of.

27.05.2025
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No