

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53922-2024 (O&M)
Date of decision: 14.02.2025

Manoj Solanki ... Petitioner(s)
Versus
State of Haryana ...Respondent (s)

CRM-M-53944-2024 (O&M)

Chanda Solanki ... Petitioner(s)
Versus
State of Haryana ...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Kuldeep Attri, Advocate for
Mr. Binat Sharma, Advocate
for the petitioner(s).

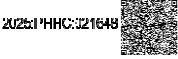
Mr. Ashish Bishnoi, DAG, Haryana.

Mr. Naveen Kumar, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
163	29.12.2023	Cyber West, Gurugram	420, 120-B IPC

1. This order shall dispose of two petitions i.e. CRM-M-53922-2024 and CRM-M-53944-22004, as the same arise out of common FIR and common prayer has been made in both the petitions. However, for brevity, facts have been taken from CRM-M-53922-2024.
2. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
3. At the outset, counsel for the petitioners submit that pursuant to order dated 8.11.2024, they have handed over two demand drafts of Rs.2.50 lac each to the



complainant in Court. They further submit that the balance amount would be paid on or before 28.02.2025.

4. Complainant’s counsel submits that although he has accepted the demand drafts but it will be subject to all just exceptions.

5. Given above, in the event of arrest of the petitioners, they shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Illaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused. However, it is clarified that if the petitioners do not comply with the commitment made before this Court as regards the payment of balance amount, it shall be permissible for the complainant to file application(s) for cancellation of bail granted to the petitioners before the Sessions Court, which shall be competent and eligible to cancel the bail granted to the petitioners.

6. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

7. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

8. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added



section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

9. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

12. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

February 14, 2025
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes