



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

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**CRM-M-52922-2025(O&M)
Date of Decision: September 24, 2025**

Des Raj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: - Mr.Shivam Kamboj Sirsa, Advocate for the petitioner.

Mr.Neeraj Sheoran, Sr.DAG, Haryana.

RUPINDERJIT CHAHAL, J.

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.294 dated 08.09.2022 registered under Sections 120-B, 409, 420, 467, 468 and 471 of the Indian Penal Code, at Police Station City Ratia, District Fatehabad.
2. Status report filed in court today by the State, is taken on record.
3. Brief facts of the prosecution case are that the FIR was lodged on the communication received from Sub-Inspector Rajesh Kumar of CM Flying, Hisar alleging that the officers and employees of the Market



Committee, Ratia and Dharshul Kalan are causing loss to the State in collusion with the Commission Agents by making false registrations on the Government Portal namely 'Meri Fasal Mera Byora'. During investigation, it was found that certain persons, including the petitioner have got registered on the said Portal from different villages of Districts Jind, Kaithal, Fatehabad and Sirsa to get Minimum Support Price of their crops illegally. Due to the said registration, the Government Agency deposited money in the accounts of the said persons. Few firms also got payments from the Government in their Bank Accounts on the basis of registration on the Portal, while factually the registered owners do not have any land in their names. It was concluded that in this way, the registered owners and the Firms have cheated the Government by getting Minimum Support Price of the paddy and other crops, that they never sown or cultivated.

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He has contended that the petitioner is owner of 9 acres of land and has taken some land on lease for the last four years. He had provided his own land details of 9 acres to the agent for updation on the Portal and it is fault of the said agent who updated/registered wrong killa numbers i.e. total 15 acres on the Portal. Learned counsel has further submitted that the petitioner is an uneducated person having no knowledge as to which number has been registered in his name at the Portal. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do



so by the investigating agency.

5. Notice of motion.

6. Learned State counsel, who has appeared on advance notice of the petition, has vehemently opposed the prayer for anticipatory bail by submitting that offence committed by the petitioner is serious in nature. Referring to the status report, he has submitted that during investigation, it was revealed from the bank records that an amount of Rs.8,74,271/- was credited on 25.11.2020 by the Government Procurement Agency/HSWC in the Allahabad Bank Account of the petitioner. Immediately, on the same day, from the said Account, an amount of Rs.8,50,000/- was transferred to the account of the firm Deshraj Trading Company. The status report further mentions that statements of actual landowners, namely Pyara Singh and Joginder Kaur, whose approximately 6 acres of land was shown on the Portal to be of petitioner, reveal that they themselves cultivated different variety of paddy on their land and sold it privately and never got registered on the Portal.

7. Heard learned counsel for the parties at length and perused the record of the case.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and



wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is 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 a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

9. The Hon'ble Supreme Court, in case titled as "**P. Chidambaram v. Directorate of Enforcement**", (2019) 9 SCC 24, while dealing with economic offences, has held that the power of anticipatory bail should be sparingly exercised in economic offences. The relevant portion of the judgment is reproduced as under:-



"77. After referring to *Siddharam Satlingappa Mhetre* and other judgments and observing that anticipatory bail can be granted only in exceptional circumstances, in **Jai Prakash Singh v. State of Bihar**, the Supreme Court held as under: (SCC p.386, para 19)

"19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the Court is *prima facie* of the view that the applicant has falsely been enroled in the crime and would not misuse his liberty".

Economic Offences

78. Power under Section 438 CrPC being an extraordinary remedy, has to be exercised sparingly; more so, in cases of economic offences. Economic offences stand as a different class as they affect the economic fabric of the society. In **Directorate of Enforcement v. Ashok Kumar Jain**, it was held that in economic offences, the accused is not entitled to anticipatory bail.

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83. Grant of anticipatory bail at the stage of investigation may frustrate the investigating agency in interrogating the accused and in collecting the useful information and also the materials which might have been concealed. Success in such interrogation would elude if the accused knows that he is protected by the order of the court. Grant of anticipatory bail, particularly in economic offences would definitely hamper the effective investigation. Having regard to the materials said to have been collected by the respondent Enforcement Directorate

and considering the stage of the investigation, we are of the view that it is not a fit case to grant anticipatory bail”.

10. In the present case, it is evident that the petitioner has fraudulently registered the land of others on the Portal “Meri Fasal Mera Byora’ for obtaining wrongful gain and causing wrongful loss to the State Exchequer; he has abused the computerised procurement system, which is developed by the Government to extend the benefit of Minimum Support Price to the actual land owners for the paddy cultivated by them.

11. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioners is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Having regard to the nature of allegations and the stage of the investigation, the investigating agency has to be given sufficient freedom in the process of investigation. Thus, the present petition being devoid of merits is hereby dismissed.

12. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

September 24, 2025

(RUPINDERJIT CHAHAL)
JUDGE

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Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No