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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-56584-2025 (O&M)****Date of decision: 09.12.2025****NEERAJ ALIAS LUCKY****...PETITIONER****VERSUS****STATE OF HARYANA****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. K.S. Siwach, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG Haryana.

Mr. Rajat Singh, Advocate for the complainant.

YASHVIR SINGH RATHOR. J.(Oral)

1. The present petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.406 dated 27.08.2024, registered under Section 406 of IPC, at Police Station Hisar City, District Hisar.
2. Learned counsel for the petitioner as well as learned State counsel assisted by learned counsel for the complainant have been heard and material collected by the police during investigation has been perused.
3. The present case was registered on the basis of statement given to the Police by Manju Devi with the allegations that she is a care taker of house of her cousin namely Jitender who is residing in Australia. On 29.02.2024, Neeraj @ Lucky took the house on lease from her and after sometime, he demanded Rs.1.5 crore from her for investing in his A.C. business and promised to return the amount in 15-20 days. She fell in his trap and on 15.03.2025, she paid him Rs.17,00,000/- after borrowing the same from her relatives in the presence of Priyanka, Jitender Mudgil and Hanuman Garg. After 3-4 days, Neeraj @ Lucky (petitioner) and his wife again came and took a sum of Rs.3,00,000/- from her and thereafter, she



transferred a sum of Rs.10,00,000/- more in his account and in the account of his brother Sahil through Gpay, Phonepay, Paytm and Bank account. After a few days, when she inquired about the money, he promised to re-pay the same but he kept on prolonging the matter for another 2-3 months and thereafter, he refused to pay the amount and rather, threatened to commit suicide by jumping in front of train in case she demanded the amount. She sought action against Neeraj @ Lucky (petitioner) as well as his brother Sahil and alleged that they have cheated her of a sum of Rs.30 lakh. After completion of investigation, final report has been presented.

4. Learned counsel for the petitioner contended that he has been falsely implicated and a concocted version has been put forward while lodging the FIR. There was no inducement at the time when the amount was advanced on his part and the amount was initially handed over to him by the complainant, who had offered to invest the same in AC business and had promised to return the amount in 15-20 days. Learned counsel next contended that only a sum of Rs.8,00,000/- was received through bank transaction and false allegations have been levelled with regard to payment of another amount of Rs.22,00,000/- in cash and there is no receipt in this regard. Learned counsel further contended that dispute is purely of civil nature which has been given the colour of criminality. Petitioner has already undergone 2 months and 25 days of imprisonment as an undertrial. Challan has already been presented after completion of investigation and charges have been framed. All the offences are of Magisterial trial and the trial will take sufficiently long time to conclude and his further detention is not required and he may be released on bail.

5. On the other hand, learned State counsel assisted by learned counsel for the complainant has opposed the bail and argued that victim has been cheated



of a sum of Rs.30,00,000/- with a promise to invest the amount in AC business but no such business was started and the petitioner had the intention to cheat the victim from the very beginning. He is also involved in 3 more cases, out of which one case is under NDPS Act and since, he is a habitual offender, he does not deserve to be released on bail.

6. A sum of Rs.30,00,000/- has allegedly been paid out of which Rs.8,00,000/- has been paid through bank transaction but there is no receipt regarding the payment of the balance amount of Rs.22,00,000/-. As to whether, petitioner had induced the victim to deliver the amount to him with an intention to cheat him shall be the moot question during the trial. From the allegations levelled in the FIR, dispute in question *prima facie* is civil in nature for which the complainant can sue the petitioner for recovery of the amount. Petitioner has undergone 2 months and 25 days of imprisonment as an undertrial. Challan has already been presented. All the offences are of Magisterial trial and trial is likely to take sufficiently long time to conclude and further detention of the petitioner is, thus, not required and he deserves to be released on bail.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

8. Pending misc. application(s), if any, shall also stand disposed of.

09.12.2025

Vishal Vardhan

(YASHVIR SINGH RATHOR)
JUDGE

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