



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-62268-2024
Date of decision: 30.01.2025

Satish Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nand Lal Sammi, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. A.G. Haryana.

Mr. L.K. Gollen, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0423 dated 01.11.2024 under Sections 406 and 420 of the Indian Penal Code, 1860, registered at Police Station Rajendra Park, Gurugram.

2. Status report by way of affidavit of Shiva Archan, HPS, Assistant Commissioner of Police, West, Gurugram, on behalf of the respondent-State, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the instant case, wherein he is



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alleged to have deceived the complainant by promising her a Government job in exchange for a sum of Rs.11.50 lakhs. Drawing the attention of this Court to the allegations levelled in the FIR (Annexure P-1), learned counsel has argued that the complainant has presented a distorted version of events and that the allegations of demanding and obtaining Rs.5 lakhs for securing a job as a clerk in the judiciary are baseless. It has further been submitted, with reference to Annexure P-2, that the complainant has in fact issued a legal notice to the petitioner for recovery of an amount claimed to be a friendly loan, which contradicts the allegations in the FIR. Thus, it is urged that it is evident that the petitioner has been falsely implicated.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite by emphasizing upon the gravity of the allegations. It has been submitted that the petitioner induced the complainant to part with a huge sum of Rs.11.50 lakhs under the false assurance of securing her a Government job. It has also been pointed out that there are direct financial transactions between the complainant and the petitioner, proving that the petitioner was a beneficiary of the amount in question. Additionally, call recordings and WhatsApp conversations purportedly revealed the petitioner making explicit promises of employment. It has also been argued that custodial interrogation of the petitioner is essential to unearth the *modus operandi* and facilitate the investigation in the present case.

5. I have heard learned counsel for the parties and perused the



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relevant material on record.

6. *Prima facie*, the allegations against the petitioner are of a serious nature, involving financial fraud and exploitation of the aspirations of the complainant under false pretenses. The material on record, including direct financial transactions and electronic evidence, *prima facie* supports the case of the prosecution. Given the gravity of the offence and the necessity of the custodial interrogation to ensure a thorough investigation, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

30.01.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No