



218

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-63952-2024
Date of Decision:-25.03.2025

AJAY KUMAR

... PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr.Jasdev Singh Thind, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Siddharth Sihag, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 of Cr.P.C read with 482 of the Bharitiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner is praying for anticipatory bail in the following FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
573	11.07.2024	406, 420, 467, 468, 471, 120-B, 506 IPC	Sadar Hisar

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case, on account of some financial transactions between the parties. The complainant



has got registered the instant FIR to harass the petitioner by concocting a false story. The petitioner is ready to join the investigation and has never taken any amount from the complainant as alleged in the FIR for providing any job. He contends that the version is fabricated from the fact that there was no advertisement for such post ever existing, so no question of getting such job would arise. Hence prayed for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, referring to the reply submitted by the State have strongly assailed these arguments by contending that petitioner has defrauded the complainant of ₹20 lakhs on the pretext of getting job to his brother and also fabricated the appointment letters allegedly issued by HAU Hisar. It is contended that the custodial interrogation of the petitioner is required to unearth the *modus operandi* adopted by him besides recovering the alleged mobile, Laptop, printer and stamp of HAU, Hisar used by the petitioner for procuring the fabricated documents. Hence prayed for dismissal of the petition.

5. After considering the arguments and perusing the record, it is observed that the instant FIR was registered on the complaint being received in the Economic Cell, on which inquiry was conducted in the matter leading to registration of the present FIR. It is alleged in the complaint that in June 2021 the petitioner alongwith one Nasib Kumar met the complainant and allured to provide government job to the brothers of complainant. In July 2021 the accused came to the house of the complainant and introduced him



to Gautam and Satish claiming them to be acquaintance of Vice Chancellor of HAU, Hisar and also the fact that the said Gautam is son-in-law of the Vice Chancellor, HAU, Hisar and demanded ₹15 lakhs per person for getting the job. The accused assured that ₹20 lakhs be paid in advance and the balance ₹10 lakhs be given after the job letter is given, accordingly ₹20 lakhs were given to him. In September 2021 joining letters were sent to the complainant and the accused demanded ₹10 lakhs more to which the complainant told that once his brothers joined the duty then the balance amount will be paid. In October 2021, the petitioner called the complainant and told that the University has changed the departments and fresh joining letters are being sent which they will get by 30th November 2021. When the brothers of the complainant did not get the job and the accused continuously pressurized them to pay balance amount the complainant got suspicious and went to the University Authorities with the said joining letters provided to him by the accused and was astonished to find that these letters are fake and forged, accordingly case was registered.

6. It is apparent from the record that there are specific allegations against the petitioner of having defrauded the complainant and cheating him by alluring him to provide job to his brothers and in turn received ₹20 lakhs from the complainant. There are specific allegations against the petitioner and co-accused of having used fake and fabricated joining letters using the seal of HAU, Hisar which on verification were found to be false and fabricated. The petitioner has duped the innocent citizens of their hard earn money. Therefore, considering the serious nature and gravity of offence,



and also the fact that custodial interrogation of the petitioner is required to unearth the *modus operandi* besides effecting the recovery of the instruments used in preparing fabricated documents, therefore, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

25.03.2025

Gyan

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |