



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-4044-2026
Decided on: 21.05.2026

Manoj @ Upender
...Petitioner

Versus

State of Haryana and Another
...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhishek Sethi, Ms. Richa Sethi and
Mr. Tej Bahadur Yadav, Advocates
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

Mr. Om Parkash, Advocate
for respondent No.2.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Manoj @ Upender	306	22.09.2025	318(4), 336(3), 338, 340, 351(2) of BNS	Asauda	Jhajjar



2. After hearing learned counsel for the petitioner on 23.01.2026 following was recorded :-

“2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has no role in the alleged offence beyond what is already attributed to co-accused Ashok Singh. It is further submitted that the petitioner is ready and willing to cooperate with the investigation and undertakes to abide by any conditions imposed by this Court.

Learned counsel further submits that co-accused Ashok Singh, who is alleged to have played a similar role in the transaction, has already been granted the concession of interim bail by this Court vide order dated 11.11.2025(P-9) passed in CRM-M-63211-2025. In view of the principle of parity, the petitioner prays for same relief.

3. *Notice of motion.*

4. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

5. *Adjourned to 29.01.2026.*

6. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event CRM-M-4044-2026 -2- of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*



7. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.*

8. *To be heard alongwith CRM-M-4044-2026.”*

3. Continuing the submissions, counsel for the petitioner submits that in compliance of the directions issued by this Court, petitioner Manoj @ Upender has already joined the investigation and thus, has fully qualified for confirming of the interim bail order dated 23.01.2026.

4. On the other hand, learned State Counsel confirms the factum of joining of investigation and further informs that as per case of the prosecution, petitioner earned the profit of Rs.2,00,000/- as a middle-man/commission agent.

5. Mr. Om Parkash, Advocate representing the complainant/respondent No.2, while vehemently opposing the prayer for anticipatory bail submits that in fact the petitioner is the main accused, who is preparing all the forged documents and also submits that it was the petitioner to whom at the time of agreement to sell, Rs.5,00,000/- in cash was given.

6. I have heard the respective counsel for the parties and also gone through the record.



7. In the FIR there is nothing mentioned by the complainant except of presence of the petitioner and no amount is mentioned to be handed over to him rather, it appears that majorly, the amount was handed over for transfer in the bank account of main accused-Ashok Kumar, who after dismissal of his anticipatory bail has already been arrested and presently behind the bars.

8. In view of the totality of circumstances and the facts noticed hereabove, I do not find any substantial reason to deviate the allegation, what has been projected by the prosecuting agency. Mr. Om Parkash, Advocate points out that petitioner has been noticed in the CCTV footage of the Bank, when the money was withdrawn from the Bank, accompanying the other accused. Once it is admitted position that petitioner worked as a middle-man, there is nothing strange of his joining to go and collect from the Bank, even if the story is true.

9. In view of the aforementioned, the ad-interim bail order dated 23.01.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

10. It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

11. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, the present order shall be deemed to be



inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

12. Accordingly, petition stands disposed of.

21.05.2026
Preeti S.

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No