



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-4629 of 2026

Date of Decision: 20.05.2026

Banwari Lal

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Prashant Singh Chauhan, Advocate
for the petitioner(s).

Mr. Ramender Singh Chauhan, Assistant Advocate General,
Haryana, for the respondent No.1.

Mr. Anurag Jain, Mr. Anmol Singh and Ms. Ashika Kalra,
Advocate, for the respondent No.2.

Surya Partap Singh, J.

1. This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 06 dated 11.01.2026, for the commission of offence punishable under Section(s) 420, 467, 468, 471 and 120B of 'the Indian Penal Code, 1860', Police Station Dharuhera, District Rewari, Haryana.

2. Vide order dated 30.04.2026, the petitioner was admitted to interim anticipatory bail, subject to the condition of furnishing bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

taken on record.

4. Heard.

5. It has been submitted by learned counsel for the petitioner that in compliance with order dated 30.04.2026, the petitioner has already joined the investigation, and that nothing has been left to be recovered from the possession of petitioner. In view of above, the learned counsel for the petitioner has requested that the order dated 30.04.2026 be made absolute.

6. The learned State counsel, on the instructions of 'SI Suresh Kumar', has submitted that the petitioner has joined the investigation, and that for further investigation of this case his custodial interrogation is not required.

7. The learned counsel for the respondent No.2 has opposed the above-mentioned arguments on the ground that a large quantity of public money has been usurped in the present case by resorting to fraudulent transactions. As per learned counsel for the complainant, in view of gravity of offence, the petitioner is not entitled to anticipatory bail.

8. The record has been perused carefully.

9. With regard to fact-situation of this case and the above mentioned arguments, following are the relevant factors which are supposed to be taken into consideration:-

i) that the petitioner has already joined the investigation and as per Investigating Officer, his custodial interrogation is not required;

ii) that the offence is triable by the Court of Judicial Magistrate;

- iii) that being 72-year-old person, the petitioner deserves a considerate view;
- iv) that there is no allegation that there was privity of contract between the petitioner and the complainant-Bank;
- v) that *prima facie* there was no bar for transfer of agricultural land, which was subject matter of mortgage in favour of complainant, as the rights of the complainant, as a mortgagee of the above-mentioned land, creates first charge on the agricultural land and therefore, the same are secured;
- vi) that apparently no loss, whatsoever, has been caused to the complainant-Bank, as the right of recovery of complainant Bank from the above-mentioned land is intact;
- vi) that the entire evidence to be collected by the Investigating Agency in the present case is documentary in nature and therefore, custodial interrogation of the petitioner is not likely to produce a fruitful result;
- viii) that the investigation and trial are not likely to be concluded in near future;
- ix) that nothing has been left to be recovered from the possession of petitioner;
- x) that the detention of petitioner in judicial lock-up is not likely to serve any purpose;

xi) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and

xii) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

10. Keeping in view the aforesaid submissions and the fact that the petitioner has already joined the investigation, it is hereby ordered that the petitioner is entitled to anticipatory bail. Hence, the present petition is hereby **allowed** and the order dated 30.04.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute.

11. However, it is clarified that any observation recorded in this order shall have no bearing on the merits of the case.

(Surya Partap Singh)
Judge

May 20, 2026
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No