



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-7008-2026
Date of Decision: 24.03.2026
Date of Uploading: 25.03.2026

Ramdhari
.....Petitioner.
Versus
State of Haryana
.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Amit Choudhary, Advocate
for the petitioner.

Ms. Priyanka Sadar, Sr. DAG, Haryana.

SUMEET GOEL, J.(Oral)

On 06.02.2026, the following order was passed:

“1. The present petition is the first petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking the grant of anticipatory bail to the petitioner in case FIR No. 318 dated 28.10.2025, registered under Sections 316(5), 318(4), 61, 338, 336(3) and 341(1) of the BNS Act, at Police Station Bhuna, District Fatehabad, Haryana.

2 Briefly stated, the facts of the case are that a complaint was received from the Assistant Manager of Gorakhpur Primary Agricultural Cooperative Society (PACS), Fatehabad, alleging misappropriation and cheating in relation to the Pradhan Mantri Fasal Bima Scheme as well as alleged misuse of rental income of shops belonging to the PACS. An inquiry was conducted at the departmental level by the officials of the Cooperative Department, and on the basis of the inquiry report and approval granted by the competent authority, the present FIR was registered against the petitioner and other co-accused. During the course of investigation, certain documents were taken into police possession and apprehending his arrest in the said FIR, the

petitioner has approached this Court by way of the present anticipatory bail petition.

3. *Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR and the present FIR has been registered solely on the basis of a departmental inquiry report, without any independent criminal investigation or complaint by any alleged victim. It is contended that the dispute arises out of administrative and disciplinary issues relating to the functioning of Gorakhpur M PACS Ltd. and the Central Cooperative Bank Ltd. and is predominantly civil and departmental in nature, which has been given a criminal colour.*

4. *It is further submitted that no farmer, insured member or tenant has lodged any complaint alleging cheating or dishonest inducement. Out of the alleged 22 beneficiaries under the Prime Minister Crop Insurance Scheme, 12 members appeared before the inquiry committee and categorically stated that they had received their due amounts and had no grievance. The inquiry report, at best, points towards procedural irregularities and accounting lapses and does not disclose the essential ingredients of cheating or misappropriation.*

5. *Learned counsel submits that the allegations regarding shop rent are misconceived, as the amount actually received was duly deposited in the society account and the alleged loss is attributable to non-recovery during the Covid-19 period. It is further contended that all transactions are documentary in nature, routed through banking channels, and no recovery is to be effected from the petitioner.*

6. *It is lastly argued that the petitioner has clean antecedents, deep roots in society, is not a flight risk, and custodial interrogation is not required. The petitioner undertakes to join the investigation and to abide by all conditions imposed by this Court.*

7. *Notice of motion.*

8. *On the asking of the Court, Mr. Sushil Bhardwaj, Addl. A.G. Haryana accepts notice on behalf of the respondent-State and submits that as per the inquiry report, the petitioner is the main conspirator, who manipulated the funds of the PACS and cheated the Co-operative Society as well as the persons in whose names the insurance amount was received from - the Government and thereafter transferred the said funds to his own account. It is further argued that custodial interrogation of the petitioner is essential for a thorough investigation of the case and grant of anticipatory bail at this stage would hamper*

the investigation. In these circumstances, it is prayed that the present anticipatory bail petition be dismissed.

9. *This Court has heard learned counsel for the petitioner as well as learned State counsel and has perused the record.*

10. *The petitioner seeks the concession of anticipatory bail in connection with the FIR in question, which has been registered on the basis of a departmental inquiry report pertaining to alleged irregularities in the functioning of the Primary Agricultural Cooperative Society and related banking transactions.*

11. *At the outset, it is relevant to note that the present FIR does not emanate from any direct complaint by an alleged victim or beneficiary. The prosecution case is founded primarily on an administrative inquiry conducted by officers of the Cooperative Department. From a prima facie reading of the inquiry report and the material placed on record, it emerges that the allegations against the petitioner largely pertain to procedural lapses, accounting discrepancies and alleged irregularities in the implementation of the crop insurance scheme and collection of shop rent.*

12. *It is also not in dispute that a substantial number of beneficiaries appeared before the inquiry committee and stated that they had received their due amounts and had no grievance against the petitioner. At this stage, the material on record does not clearly disclose any specific act of dishonest inducement, deception or personal misappropriation so as to prima facie establish the essential ingredients of cheating or embezzlement. Whether the acts alleged amount to criminal misconduct or merely administrative negligence is a matter which would require detailed examination during investigation and trial.*

13. *This Court further finds substance in the submission that the entire case is based on documentary material, most of which is already in the custody of the department or banking authorities. No recovery is shown to be effected from the petitioner at this stage. Consequently, custodial interrogation of the petitioner does not appear to be indispensable for the purpose of investigation, particularly when the allegations arise out of official transactions routed through institutional channels.*

14. *The petitioner is stated to be a permanent resident of the area, having deep roots in society, and there is nothing on record to suggest that he is a flight risk or that he is likely to evade the process of law. There is also no specific allegation that the petitioner has attempted to influence witnesses or*

tamper with evidence. The petitioner has undertaken to join the investigation and to cooperate with the investigating agency as and when required.

15. Without expressing any opinion on the merits of the case and keeping in view the nature of allegations, the source of the FIR, the documentary character of the evidence and the settled principles the grant of anticipatory bail, this Court is of the considered view that the petitioner has made out a case for grant of interim protection.

16. Accordingly, the petitioner is directed to be released on interim bail subject to his joining investigation and reporting to the Investigating Officer concerned within one week from today, on furnishing of personal/security bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 2023.

17. List on 27.02.2026.”

2. Learned State counsel has filed the reply by way of affidavit of Divyanshi Singla, IPS, Assistant Superintendent of Police, Ratia, District Fatehabad, in Court today. The same is taken on record. She has further submitted that pursuant to the order dated 06.02.2026, the petitioner has joined investigation but is not cooperating therein and his custodial interrogation is required for recovering the money in question and to find out the details/whereabouts of other co-accused.

3. Having heard learned counsel for the rival parties and upon perusal of the record; especially, the factum of the petitioner having joined investigation and his custodial interrogation is sought only for recovery of money in question and to find out the details/whereabouts of other co-accused; this Court is inclined to confirm the order dated 06.02.2026. Accordingly, the instant petition is allowed. The interim order dated 06.02.2026, passed by this Court is made absolute, subject to the conditions

as enumerated under Section 482(2) of BNSS.

4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

March 24, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

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