



CRM-M-8967 of 2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-8967 of 2026
Date of Decision: 01.04.2026

Priyanka Bahree and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. K.S. Nalwa, Sr. Advocate with
Mr. Virender Singh Sandhu, Advocate
Mr. Jaspreet Singh Rai, Advocate and
Ms. Sanya Gupta, Advocate
for the petitioners.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Shailender Singh, Advocate
Ms. Simran Sidana, Advocate and
Mr. Abhiraj Singh, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.96 dated 20.05.2025 registered under Sections 409, 420, 467, 468, 471 and 120-B of IPC, at Police Station Sector-37, Gurugram.
2. Brief facts as per the prosecution case are that the petitioners in connivance with co-accused siphoned off huge amount of money from the complainant company. Hence, the present FIR.



3. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. He further submitted that the petitioners have been nominated in the present case solely because of the reason that they are the wife and mother of co-accused Lovish Bahree. He further submits that the present FIR has been lodged after an unexplained delay of two years, casting serious doubt on the prosecution story. He further submitted that the entire case of the prosecution rests exclusively on documentary material like e-mails, invoices, bank entries, account software records and allied documents and all the said documents are already in the possession of the investigating agency. Hence, there is no apprehension that petitioners can tamper with the evidence. He further argued that the FIR is highly selective, discriminatory and motivated as no proceedings have been initiated against any Japanese Director or consultants who were the sole custodians, decision makers, approvers and operational controllers of every financial activity. No recovery is to be effected from the petitioners. Moreover, the petitioners have clean antecedents as they are not involved in any other case. Learned counsel for the petitioners further submits that the petitioners are ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending their arrest, the petitioners had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Gurugram, vide order dated 02.02.2026.



5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, she has opposed the prayer of the petitioner for grant of anticipatory bail on the ground that the allegations levelled against the petitioners are serious in nature. She argued that the petitioner No.1-Priyanka Bahree and co-accused Lovish Bahree provided forged invoices to the complainant company, for which no work was performed by petitioner No.1. Co-accused Lovish Bahree transferred Rs.6,73,357/- to petitioner No.1's bank account from the complainant company's bank account and she also received Rs.87,73,129/- of the present fraud from other co-accused. She further argued that petitioner No.2-Rita Bahree is the mother of co-accused Lovish Bahree and she fraudulently received Rs.1,01,65,518/- of the present fraud in her account No.4501721400711005 (ICICI Bank) and other bank accounts which are being identified as part of the investigation. She further submits that the custodial interrogation of the petitioners is required for a fair and proper investigation in the matter as well as for obtaining information about the modus operandi and also to obtain information about the other persons involved in the present crime and obtaining other information regarding the present case. Hence, she prays for dismissal of the petition.

6. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioners, has contended that the petitioners have played an active role in the crime and, thus, do not deserve the concession of bail.



7. Heard.

8. In the present case, the petitioners are specifically named in the FIR and the allegations levelled against the petitioners are grave and pertain to a well-orchestrated financial fraud involving substantial amounts, wherein specific roles have been attributed to each of the petitioners. The record prima facie indicates that significant sums were transferred into their respective bank accounts, allegedly on the basis of forged invoices and without any corresponding work having been performed. The contention that the petitioners have been falsely implicated merely on account of their relationship with the co-accused does not inspire confidence at this stage in view of the monetary trail reflected in the status report. Furthermore, the requirement of custodial interrogation, as asserted by the State, appears to be justified for unearthing the complete modus operandi and identifying other beneficiaries and accomplices involved in the alleged offence. The events in entirety, the scale and manner in which funds have been diverted indicates the requirement of a deeper probe for which custodial investigation of the petitioner is required. This Court is sanguine of the fact that while considering plea for anticipatory bail it is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioners, at this stage. Granting anticipatory bail to the petitioners with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act.



9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

10. Further, the Hon'ble Supreme Court, in case titled as "**P. Chidambaram v. Directorate of Enforcement**", (2019) 9 SCC 24, while



dealing with economic offences, has held that the power of anticipatory bail should be sparingly exercised in economic offences. The relevant portion of the judgment is reproduced as under:-

*"77. After referring to Siddharam Satlingappa Mhetre and other judgments and observing that anticipatory bail can be granted only in exceptional circumstances, in **Jai Prakash Singh v. State of Bihar**, the Supreme Court held as under: (SCC p.386, para 19)*

"19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has falsely been enroled in the crime and would not misuse his liberty".

Economic Offences

*78. Power under Section 438 CrPC being an extraordinary remedy, has to be exercised sparingly; more so, in cases of economic offences. Economic offences stand as a different class as they affect the economic fabric of the society. In **Directorate of Enforcement v. Ashok Kumar Jain**, it was held that in economic offences, the accuse is not entitled to anticipatory bail.*

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83. Grant of anticipatory bail at the stage of investigation may frustrate the investigating agency in interrogating the accused and in collecting the useful information and also the materials



which might have been concealed. Success in such interrogation would elude if the accused knows that he is protected by the order of the court. Grant of anticipatory bail, particularly in economic offences would definitely hamper the effective investigation. Having regard to the materials said to have been collected by the respondent Enforcement Directorate and considering the stage of the investigation, we are of the view that it is not a fit case to grant anticipatory bail”.

11. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is accordingly dismissed.

12. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

01.04.2026

D.Bansal

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