

2026:PHHC:079802



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

203

CRM-M-14077-2026

Date of decision : 20.05.2026

JAGDISH HOODA

..... PETITIONER

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Ashish Kaushik, Advocate
for the petitioner.

Ms. Deepali Verma, Asstt. A.G. Haryana.

Mr. Hemen Aggarwal, Advocate
for the complainant.

SURYA PARTAP SINGH. J.(Oral)

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.11 dated 21.01.2026, for the commission of offence punishable under Sections 406, 420, 120-B and 506 of Indian Penal Code, Police Station Sector-17, District Faridabad.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Suresh Aggarwal', hereinafter being referred to as complainant only. It was alleged by the complainant that he was in the business of supplying building material and 'Tarcoal', and that on 20.11.2023 'Jagdish Hooda' (the petitioner herein) and 'Sunil Kumar' father of 'Vivek Kumar' visited his office and told him that they had to execute a project worth Rs.300/- crores and for that project there was requirement of large quantity of 'Tarcoal'. According to complainant, thereafter in view of assurance given by the petitioner and his co-accused he supplied 'Tarcoal' worth Rs.52,02,009/- under the assurance given by the petitioner and his co-accused, that the payment will be made within next 10 to 15 days. As per complainant, out of above-mentioned amount of Rs.52,02,009/-, the amount of Rs.40,00,000/- (approximately) is still due. While claiming that the intention of the petitioner right from the very beginning was not *bona fide*, the request was made to take action against the petitioner and his co-accused.

3. It is the case of the prosecution that pursuant to above-mentioned complaint, formal FIR of this case was lodged and the investigation taken up.

4. Short reply has been filed by learned counsel for the complainant. The same be taken on record.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the dispute between the parties is a dispute of civil nature i.e. with regard

to recovery of money, and that there is no criminality attached to the transactions between the petitioner and the complainant. The learned counsel for the petitioner has further contended that the petitioner has already been joined in the investigation and therefore, the order dated 13.03.2026, whereby the benefit of interim anticipatory bail was given to the petitioner, be made absolute.

7. The learned State Counsel (on the instructions of SI Anup Singh) being assisted by learned counsel for the complainant has controverted the above-mentioned arguments. According to learned counsel for the complainant in the present case the intentions of the petitioner right from the very beginning were not *bona fide*, and that they had entered into a memorandum of understanding between a third party namely 'Z Work Solution', and while signing the above-mentioned MOU, they had submitted a bank guarantee, which has been found to be fake/forged. As per learned counsel for the complainant, the above-mentioned act and conduct of the petitioner shows that their intention was *mala fide* right from the very beginning and thus, the dispute between the parties is not a dispute of civil nature.

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 offence is triable by the Court of Judicial Magistrate;

- ii) that the maximum punishment prescribed for the offence is imprisonment up to seven years;
- iii) that there is no allegation against the petitioner that with regard to any document, connected with the complainant, any forgery or fabrication of false documents had taken place;
- iv) that the dispute between the parties seems to be a dispute of civil nature i.e. the recovery of money, for which remedy lies in the civil Court;
- v) that the petitioner has no criminal antecedents;
- vi) that evidence has to be collected from the possession of petitioner, and therefore, it is apparant that his custodial interrogation is not likely to produce a fruitful result;
- vii) that the investigation and trial are not likely to be concluded in near future;
- viii) that there is nothing on record to show that if the order dated 13.03.2026 is made absolute, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- ix) that there is nothing on record to show that if order dated 13.03.2026 is made absolute, the petitioner will not participate/cooperate in the investigation/trial.

10. As a sequel to above-mentioned observation, it is hereby observed that the petitioner is entitled for anticipatory bail. In view of above, the order dated 13.03.2026, whereby the benefit of interim

anticipatory bail was accorded to the petitioner is hereby made absolute
and the present petition is hereby allowed.

(SURYA PARTAP SINGH)
JUDGE

20.05.2026
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Whether speaking/reasoned : Yes
Whether Reportable : No