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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

388

CRM-M-14770 of 2026  
Date of Decision: 06.04.2026

Jai Shankar Mishra

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

Present: Mr. Hemant Hans, Advocate  
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Sanyam Kshetarpal, Advocate  
for the complainant.

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**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.559 dated 15.10.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC, at Police Station Sector-8, District Faridabad.
2. Brief facts as per the prosecution case are that the petitioner in connivance with other co-accused impersonated as representatives of M/s M3M India Holdings Pvt. Ltd., used documents and false e-mail communications and induced the complainant to deploy manpower and thus incurred financial losses to him amounting to Rs.44,11,241/-. Hence, the present FIR.

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3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further submitted that the petitioner was neither named in the FIR, nor has any concern with the alleged fraud. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Aditya Kumar Singh that too after a gap of more than one year from the registration of FIR, casting serious doubt on the prosecution story. He argued that the petitioner was neither any beneficiary to the alleged fraud as no amount was deposited in his bank account, nor he demanded or induced the complainant or any other persons at any point of time. He argued that if the contents of the FIR are taken to be true, even then no specific role or overt act has been attributed to the present petitioner and therefore, no offence of cheating in any manner has been made out against the petitioner and mere bald and vague allegations have been levelled against the petitioner. He further submitted that the entire case is based on documentary evidence which are already in possession of the complainant or the investigating agency, hence, nothing is to be recovered from the petitioner. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Learned counsel for the petitioner further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Hence, he prays that present petition be allowed.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the



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Court of learned Additional District & Sessions Judge, Faridabad, vide order dated 05.03.2026.

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 vehemently opposed the prayer of the petitioner for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. She argued that the investigation conducted so far has revealed that the petitioner is the principal conspirator and the main person behind the execution of the fraudulent scheme. The petitioner had deliberately impersonated himself as 'Aditya Singh' projecting himself as an authorized representative/official associated with M3M company, Gurugram. It is in this assumed identity that he approached the complainant and induced him to enter into a purported manpower supply agreement. The petitioner was named in the FIR under the identity of 'Aditya Singh' which was in fact the fictitious/assumed name adopted by him for carrying out the fraud. The role attributed to him is central and active in nature. As per investigation, the petitioner, in furtherance of pre-planned criminal conspiracy with co-accused Pawan Kumar, co-accused Roop Kumar Singh, was instrumental in identifying and targeting the complainant, holding meetings, and falsely representing that manpower work would be allotted through M3M company. The petitioner was actively involved in creation and use of fake e-mail IDs in the name of M3M company, including communication sent from [hr.compliance@m3mindiaservices.co](mailto:hr.compliance@m3mindiaservices.co), and in transmitting forged work orders and documents to lend credibility to the scheme. It has further been revealed that the petitioner played a key role in



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orchestrating the entire mechanism of opening bank accounts in the names of proposed employees, getting application forms filled and ensuring that ATM cards and banking instruments remained under the control of the co-accused persons. The petitioner, acting in the name of 'Aditya Singh' participated in the recruitment process, conducted interviews, and facilitated the on boarding of 39 individuals under false pretences of employment. The investigation has also established that the petitioner was directly connected with the mobile numbers and digital infrastructures used in the commission of the offence. The mobile number 9919305555, though registered in his real name i.e. Jai Shankar Mishra, was being used under the identity of 'Aditya Singh'. She further submitted that the petitioner is not only peripheral participant but principal architect of the conspiracy. She further submitted that the custodial interrogation of the petitioner is required for a fair and proper investigation in the matter as well as to unearth the modus operandi of accused; for recovery of remaining proceeds of crime, identification of further victims well as tracing the digital and financial evidence.. 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 anticipatory bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

7.            After hearing learned counsel for the parties and considering the material available on record, this court is of the opinion that the allegations against the petitioner are serious in nature and he is specifically named in the



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disclosure statement of co-accused Aditya Kumar Singh. The allegations against the petitioner are serious and reveal his central and active role in the commission of the alleged offence. The investigation conducted thus far prima facie establishes that the petitioner was not a mere bystander but the principal conspirator who, under a fictitious identity, orchestrated and executed a well-planned fraudulent scheme by impersonation, creation of forged documents, and use of fabricated digital communication channels. The contention of the petitioner that he has been falsely implicated and named only on the basis of a disclosure statement cannot be accepted at this stage in view of the material collected during investigation linking him with the offence. The nature of allegations, the manner in which the offence is stated to have been committed, and the requirement of custodial interrogation for unearthing the complete modus operandi, recovery of proceeds of crime, and identification of other victims and co-accused, weigh against the petitioner. The requirement of custodial interrogation, as asserted by the State, appears justified for unearthing the complete modus operandi, tracing the proceeds of crime, and identifying other victims and accomplices. The events in entirety indicate towards the existence of a bigger syndicate indulging in dubious activities as a result of which, innocent victims end up being preyed upon by such illusory tactics. While considering the plea for grant of anticipatory bail, this Court 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 petitioner, at this stage. Granting anticipatory bail to the petitioner with such allegations, at this preliminary



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stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

8. 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*



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*disinterring offences would not conduct themselves as offenders."*

9. 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.*

XXX XXX XXX

*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*



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*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”.*

10. 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.

11. 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**

**06.04.2026**  
*D.Bansal*

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