



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

166

CRM-M-15713-2026 (O&M)
Date of Decision:- 23.03.2026

Rajiv Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Parveen Chauhan, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for setting aside the order dated 16.02.2026 (Annexure P-6), passed by learned Additional Sessions Judge, Karnal, vide which anticipatory bail granted to the petitioner vide order dated 05.01.2026 (Annexure P-3), in case bearing FIR No.454 dated 01.12.2025, registered under Sections 316(2), 318(4) and 61 of BNS, at Police Station Taraori, District Karnal, has been cancelled.
2. Learned counsel for the petitioner contended that the petitioner was granted bail which was made absolute vide order dated 05.01.2026, however, the same was subsequently cancelled without assigning any specific reason. The petitioner has joined the investigation and has not violated any of the terms and conditions of the order.
3. Notice of motion.



4. Mr. Karan Veer Singh, Sr. DAG, Haryana accepted notice on behalf of the respondent–State and opposed the contentions raised by learned counsel for the petitioner by submitting that at the initial stage, the petitioner projected a case that his employer was inimical towards him and had falsely implicated him in order to remove him from service to avoid payment of his dues. On this premise, the petitioner portrayed himself as a victim and was granted the concession of anticipatory bail. However, it is further submitted that subsequent investigation has revealed that the petitioner, along with other co-accused, has been involved in running an organized racket for the past two years, whereby a substantial amount has been siphoned off by duping the employer company. It is further submitted that custodial interrogation of the petitioner is necessary for the purpose of collecting evidence to ensure successful prosecution of the case. Accordingly, learned State counsel prayed for dismissal of the present petition.

5. Mr. Abhijeet Chaudhary, Advocate has put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record. He opposed the submissions made by learned counsel for the petitioner by contending that the present case involves the active participation of the petitioner in the alleged offence, and that an amount of approximately ₹15 lakhs has been embezzled by the petitioner. It is further submitted that the FIR was initially registered under Sections 316(2), 318(4), and 61 of the BNS; however, during the course of investigation, Sections 336(3), 338, and 342(2) of the BNS, pertaining to forgery, were subsequently added in the present case. Learned counsel also placed reliance upon judgment of Hon'ble Supreme Court in case titled '***MS. X Vs. The State of Maharashtra and***



another' SLP (Criminal) No.11104-11105 of 2022 decided on 17.03.2023. It is further submitted that the petitioner is required for custodial interrogation as he is an employee of an organization and to plug in the leakage of organisation, his thorough investigation is required as to know how many other employees are involved in this racket.

6. Heard.

7. Keeping in view the submissions made by learned counsel for the parties and upon perusal of the order passed by the learned Additional Sessions Judge while cancelling the petitioner's bail, it is noted that the petitioner was initially granted anticipatory bail when the offences invoked were under Sections 316(2), 318(4), and 61 of the BNS, wherein a maximum punishment is up to seven years, but during the course of investigation, additional offences under Sections 336(3), 338, and 342(2) of the BNS, pertaining to forgery have been incorporated, wherein maximum punishment is up to life imprisonment; and it has also emerged during investigation that the amount allegedly embezzled is approximately ₹15 lakhs, further custodial interrogation of the petitioner is required for effective investigation, this Court does not find it to be a fit case for granting the extraordinary concession of anticipatory bail. It is well settled that anticipatory bail is an extraordinary relief which is to be granted sparingly and only in exceptional cases where the circumstances justify such concession.

8. Custodial interrogation of the present petitioner is necessary for effecting a proper and in-depth investigation in the case. Hon'ble Apex Court

in *State Represented by the C.B.I. v. Anil Sharma, 1997(7) SCC 187*, emphasized the importance of custodial interrogation by holding that useful information and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by anticipatory bail, wherein interrogation may be reduced to a mere ritual.

9. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

10. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

23.03.2026

Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No