

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****113****CRM-M-15254-2026****Date of decision: 24.03.2026**

Yashpal Verma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

Ms. Shweta Nahata, DAG, Haryana.

AARADHNA SAWHNEY, J (ORAL)

1. Petitioner, an accused in case FIR No.276 dated 01.10.2025 registered against him, for commission of offences punishable under Sections 406,420 IPC (now Sections 316(2) and 318(4) of BNS) at Police Station Faridabad Central, District Faridabad, has filed the instant petition, praying for grant of pre-arrest bail.
2. Relevant facts necessary for disposal of this petition are being taken from para 3 of the Status report filed by way of affidavit dated 23.03.2026 of Rajeev Kumar, ACP, Central, Faridabad on behalf of respondent-State, which read as under:

“That brief facts of the case are that the Complaint dated 03.01.2024 was received stating that, “To, The Police Commissioner, Faridabad, Subject: Application/Complaint against Yash Verma (Document Typist) and Narender (Stamp Vendor) regarding the issuance of fraudulent stamp papers worth lakhs of rupees (Mobile No.9810616041) Respected Sir, I humbly submit that I, Bharat Arora son of Shri Tej Swaroop Arora, operate a firm named "JMD ENGINEERS," which is situated at 1886/B, Jawahar Colony, Air Force Road, near Durga Mata Mandir, Faridabad, Haryana. I had entered into a transaction with M/s Macktech Auto Private Limited (and others) to purchase a property Plot No. 54, measuring 14,715 square yards located in the Industrial Area, NIT



Faridabad, Tehsil Badkhal, Faridabad. To facilitate the registration (Registry) of this property, I approached Yash Verma, a document typist who operates from Seat No. 40 at the Sector 12 Tehsil office. He informed me that certain property-related dues needed to be cleared with the MCF (Municipal Corporation Faridabad) and demanded a sum of one lakh rupees from me to handle the entire process. I handed over one lakh rupees in cash to Yash Verma. Subsequently, Yash Verma took me to a stamp vendor named Narender, stating that he would issue the necessary stamp papers for the registration. Following this, Narender and Yash instructed me to deposit a sum of ₹7,34,500/- and ₹50,006/- into the Cyber Treasury account of the Directorate of Treasuries and Accounts, Finance Department, Haryana. On 09.03.2022, I deposited the sum of 7,34,500 via RTGS and ₹50,006 via NEFT. Thereafter, on 31.03.2022, Yash informed me that the stamp papers had arrived. However, when I requested Yash to proceed with the property registration, he stated that the registration process was currently suspended and assured me that he would complete it once the services resumed. In this manner, two months elapsed. When, two months later, I asked Yash to proceed with the property registration, he claimed that there was a strike going on at the Tehsil office, at other times, he would say that the server was down. He kept making excuses, and the registration process dragged on. Sometime later, Yash even stopped answering my calls. Then, one day, I went to Yash's desk and told him, Brother, I will get the registration done through someone else. When I asked him to refund my stamp duty and the fees I had paid, he began to intimidate me right at his desk, declaring that he would not return the money. After much pleading, he finally provided me with the online stamp duty document. When I told Yash that I would file a complaint against him, he retorted, "I work right here in the Tehsil office; no one will ever be able to file a complaint against me." I then took my stamp duty document and left the premises. Subsequently, due to certain financial constraints, I was unable to proceed with the property registration for several months. When I went to register the property in the month of May, the official handling the registration informed me that the stamp paper was fraudulent and was already registered in another person's name. When I reported this matter to Yash and Narender, they asked for some time, promising to provide me with a fresh stamp duty document. Thereafter, Yash once again stopped answering my calls. When I went to Yash's desk, I found both Narender and Yash already seated



there. I demanded the return of my money from both of them, but they flatly refused, warning me never to return to that office again adding that if I did, I would not leave the place fine. Later, one day, as Yash was passing through Jawahar Colony, I ran into him on the street. I once again demanded that he return my money, but Yash refused, and an argument ensued between us. Yash then called in a group of young men on his phone, and they began to physically assault me. Bystanders from the surrounding area intervened to break up the altercation, Yash then fled the scene after issuing further death threats against me. Therefore, I humbly request that appropriate legal action be taken against the culprits and that justice be served in my case.”

Based on the said complaint, criminal proceedings were initiated vide aforesaid FIR. It further emerges from the documents on record that during the course of investigation, complainant was joined in the investigation and stamp duty payment receipts issued in the name of complainant and e-challan bearing GRN No.008045362 amounting to Rs.50,006/- and GRN number 0088045150 amounting to Rs.7,34,500/- issued in the name of complainant and self-attested copy of GRN No.0088045150 amounting to Rs.7,34,500/- used in the name of some Surender Singh Yadav were obtained. Records pertaining to the aforementioned GRN numbers obtained from the District Treasury Office revealed that both the said GRN numbers were registered in the name of the complainant. Even the bank records of complainant indicated that on 09.03.2022, transactions amounting to Rs.7,34,500/- and Rs.50,006/- were made into Cyber Treasury Account. The Investigating officer also collected copy of Document No.5456 dated 10.11.2022 obtained from the office of the Sub-Registrar Badkhal, District Faridabad, which revealed that Surender Kumar Yadav had executed a property registration in his own name by utilizing GRN number 0088045150 amounting to Rs.7,34,500/- and e-stamp No.E0312022C13 dated 31.03.2022.

Apprehending his arrest, petitioner moved an application for grant of



came to be dismissed vide order dated 12.03.2026. Aggrieved of which, the present petition has been filed.

3. Learned counsel for the petitioner contends that petitioner who is working as Typist in the Tehsil Complex, Faridabad, has been falsely implicated in the present case. In fact, the sequence of events did not unfold in the manner as portrayed by the complainant, who himself had approached the petitioner and requested him to prepare a draft of the sale deed. On the persistent requests made by the complainant, petitioner assisted him (C) in purchasing the Stamp duty papers and had made it clear at the outset that the relevant papers could only be purchased *online*. Stamp papers were purchased in the name of the complainant and his wife Neelam Arora, even his (c) number was mentioned thereupon. For reasons best known to complainant, since he (c) could not get the sale deed registered, he again approached petitioner with a request to utilize the Stamp papers, which were only valid for six months. Acting on the request made by the complainant, petitioner drafted another sale deed and also sought his (p) assistance for seeking appointment for registration of a property in Sainik Colony. An OTP for modification was sent on the registered number of the complainant. Only after receiving a nod from complainant, the detail of Stamp Papers were altered online in the name of some other person, namely, Surender Kumar Yadav.

Continuing further, learned counsel contends that with a view to amicably resolve the dispute, a compromise was arrived at between complainant and petitioner, in accordance with which, the petitioner was to return the money in 2-3 years but much prior thereto, complainant only with a view to exert pressure on the petitioner started pressurizing him to refund the money, at which point in time also, petitioner handed over cheques to complainant, which were returned.

In the light of the aforesaid submissions, learned counsel for the petitioner

contends that complainant, who has turned dishonest, has lodged the present FIR



only with a view to extract illegal monetary benefit from petitioner. The present criminal proceedings, in the factual backdrop of the case, are sheer abuse of process of law. Custodial interrogation of the petitioner is not needed, for nothing is to be recovered from him, but being a law-abiding citizen, he is willing to join the investigation as and when called for by the Investigating Officer. Prayer for allowing the petitioner has been made.

4. *Per contra*, while opposing the request for grant of bail, learned State Counsel accompanied by Mr. Kunwar Rajan, Advocate, who has appeared for complainant and filed memo of appearance, contends that the petitioner illegally used stamp papers purchased by the complainant, bearing GRN No. 0088045150 dated 31.03.2022 valuing Rs.7,34,500, in favour of Surinder Kumar Yadav. The payment of these stamp papers was made by the complainant, but petitioner illegally utilized the aforesaid stamp papers in name of aforesaid Surinder Kumar Yadav and subsequently used it in another sale deed. Thus, custodial interrogation of the petitioner is needed to recover the money of complainant, to find out the whereabouts of other accused, who all are involved in this racket and who are still at large, as also to know what is their *modus operandi* etc. It has further been prayed that petitioner being a habitual offender against whom seven criminal cases of like nature are registered, is not entitled for grant of this extraordinary relief of pre-arrest bail. Prayer for dismissal of the petition has been made.

5. Before expressing any opinion on the merits of the rival contentions raised by learned counsel for the petitioner and learned State counsel, it would be appropriate to refer to certain relevant judgments of Hon'ble Supreme Court, wherein the factors to be kept in mind while dealing with an application for grant of anticipatory bail, have been discussed.



In **Directorate of Enforcement v. Ashok Kumar Jain (1998) 2 SCC 105**, it was held that in economic offences, the accused is not entitled to anticipatory bail.

Further in **Serious Fraud Investigation Office vs. Aditya Sarda, 2025 AIR SC 2431**, Hon'ble Supreme Court has held as under:-

“23. In view of the above settled legal position, it is no more res integra that economic offences constitute a class apart, as they have deep rooted conspiracies involving huge loss of public funds, and therefore such offences need to be viewed seriously. They are considered as grave and serious offences affecting the economy of the country as a whole and thereby posing serious threats to the financial health of the country....”

Hon'ble the Supreme Court in **“P. Chidambaram vs. Directorate of Enforcement, ((2020) 13 SCC 791)**, has observed as under:-

“67. Ordinarily, arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. Power under Section 438 Cr.P.C 1973 is an extraordinary power and the same has to be exercised sparingly. The privilege of the pre-arrest bail should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after application of mind as to the nature and gravity of the accusation; possibility of applicant fleeing justice and other factors to decide whether it is a fit case for grant of anticipatory bail. Grant of anticipatory bail to some extent interferes in the sphere of investigation of an offence and hence, the court must be circumspect while exercising such power for grant of anticipatory bail. Anticipatory bail is not to be granted as a matter of rule and it has to be granted only when the court is convinced that exceptional circumstances exist to resort to that extraordinary remedy.”



In **Nikita Jagganath Shetty @ Nikita Vishwajeet Jadhav vs. The State of Maharashtra and another, 2025 AIR SC 3375**, the Hon'ble Supreme Court held that "Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner."

6. Factual aspects of the case leading to the lodging of the FIR have already been noticed in para 2 of this order. Petitioner has been named in the FIR. Specific allegations of cheating/misappropriation has been levelled against him. From the investigation conducted till date, it stands revealed that stamp duty payment receipt and e-challan bearing GRN No.008045362 valuing Rs.50,006/- and GRN No.0088045150 valuing Rs.7,34,500/- were registered in the name of complainant, who had made payment of Rs. 7,34,500/- and Rs.50,006/- into Cyber treasury account, but subsequently petitioner misused the aforesaid stamp paper in favour of Surender Kumar Yadav. Most importantly, documents placed on the file further reveal that a settlement deed was executed between the complainant and petitioner in pursuance of which petitioner had given cheques in favour of the complainant, which when presented to the bank were also dishonored. Plea of the petitioner that he has been unnecessarily dragged in the present case, deserves not to be taken note of at this stage, for he has failed to explain as to in what context he had issued cheques in favour of the complainant if he was not actually involved in the entire incident. Status report would also reveal that seven other criminal cases with similar allegations are pending against the petitioners, thus clearly indicating that he is a habitual offender.

7. Considering the facts referred above, custodial interrogation of the petitioner is needed to recover the money which he had taken from complainant as also to find out who all are involved in this racket, what is their *modus operandi*, how many innocent persons have been made their preys etc. As the investigation



is at the preliminary stage and same shall be hampered and impeded in case the accused is released on anticipatory bail.

8. Agreeing with the submissions made by learned State counsel, this Court is of the opinion that the petitioner has failed to make out a case for grant of pre-arrest bail.

Dismissal of the anticipatory bail application shall not be construed to mean that the prosecution/Investigating Officer can dispense with requirement of Section 41-A Cr.P.C (Section 35 of BNS) as also the ratio of judgment of Hon'ble Supreme Court reported as **Arnesh Kumar Vs. State of Bihar and Anr (2014) 8 SCR 128** and proceed with the arbitrary arrest.

Dismissed.

24.03.2026
manoj

(AARADHNA SAWHNEY)
JUDGE

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