



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

346

CRM-M-15034-2026

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.

Mr. Mahir Sood, Advocate for the complainant.

AARADHNA SAWHNEY, J (ORAL)

1. Petitioner, an accused in case FIR No.348 dated 26.12.2025 registered against him, for commission of offences punishable under Sections 340(2),336(3),338,318(4),319(2),61(2) of BNS (Section 316(2) of BNS added later on) 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 No. 62 dated 06.10.2025 was received at the police station, stating that, "Sir, Deputy Commissioner (DC), Faridabad:- Subject: A complaint for legal action against the fraud and organized crime committed against me by Advocate Yash Verma (9810616041) and others (M/S YASH ASSOCIATES), seat no. 45 A, at Tehsil Compound, District Court, Sector 12, Faridabad. Sir, 1, Sumit Middha, son of Mr. Om Prakash Middha (Director), working at M/s Masros Engineers PVT. LTD, PLOT NO. R-96, HSIDC Industrial Estate, Sector 31, Faridabad 121003, that Advocate Yash Verma and others have committed fraud with me. They have committed organized fraud/forgery and betrayal of trust through organized crime. This happened openly with



me in the Faridabad court. I had given a complaint regarding the crime committed against me on 29/4/2025 through complaint number 169 JD. It is that after the police complaint, Advocate Yash Verma at Sector 11 police station issued in my favour 1 (Cheque no. 000110 dated 15/6/2025 of Rs. 250000.00, 2) Cheque no. 000109 dated 15/7/2025 of Rs. 250000.00, 3) Cheque no. 000111 Dated 15/8/2025 Rs. 250000.00, 4) Cheque no 000112 Dated 15/9/25 Rs. 258500.00 of his bank account No. 7446807644, Kotak Mahindra Bank Ltd. 2A-6, NIT, Faridabad 121001 with the assurance that the said cheques will be encashed on presentation. That is, as per the assurance given by Advocate Yash Verma, I presented one of the said cheques viz. Cheque no. 000110 dated 15/6/25 for encashment with my bank i.e. HDFC BANK LTD, 3rd floor, A-111, SECTOR 4, NOIDA, UP in my account no. 07072560000750, dated 17/6/2025, but the same was not paid with the remark "ACCOUNT BLOCKED" through bank "Return memo" dated 17/6/2025. Accordingly, advocate Yash Verma has thus incurred criminal liability by deliberately issuing cheques of a blocked account to defraud me and his banker, thereby committing an offense punishable under Sections 138, 141, and 142 of the Negotiable Instruments Act, 1881. That Advocate Yash Verma has committed acts of cheating (Section 318, Bharatiya Nyaya Sanhita, 2023) and criminal breach of trust (Section 316, Bharatiya Nyaya Sanhita, 2023). Specifically, Advocate Yash Verma (9810616041) and others (M/s Yash Associates Seat No. 45A), operating from the Tehsil Compound, District Court, Sector 12, Faridabad, engaged in a premeditated and well-orchestrated scheme of cheating and organized crime against me. Advocate Yash Verma has thereby committed acts of forgery, criminal breach of trust, and fraud against me. Furthermore, given that Yash Verma is himself a practicing Advocate, his aforementioned conduct falls under the category of "Professional Misconduct." It is, therefore, requested that you kindly direct the police to initiate penal proceedings against Yash Verma and his accomplices under the relevant sections of the Indian Penal Code, 1860. Cheating (IPC Sections 415, 417, 418, 419, 420); Forgery (IPC Sections 467, 468, 471); Organized Criminal Conspiracy (IPC Sections 120B, 34, 109/114); Criminal Breach of Trust (IPC Sections 406, 409), and Fraudulent Deeds and Disposal of Property (IPC Sections 421/424). It is respectfully prayed that you issue directions to the police to register an "FIR" regarding this matter and to initiate prompt, *lawful action, so that no other person has to suffer the same fate that I have*



endured. Furthermore, please order the Investigating Officer to conduct a thorough inquiry to ascertain whether Advocate Yash Verma (9810616041) and others (M/s Yash Associates) have committed similar offenses against anyone else.”

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.81618060 amounting to Rs.9,86,500/- and GRN number 81731023 amounting to Rs.22,000/- issued in the name of complainant and used in the name of one Sadhna (resident of Dev Nagar, Palwal) and Smt Kaushal Sunaria (resident of Laxmi Nagar, Delhi) respectively, 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 04.09.2021, transactions amounting to Rs.9,86,500/- and Rs.22,000/- were made into Cyber Treasury Account. The Investigating officer also collected relevant documents from the office of the Sub-Registrar Badkhal, District Faridabad, which revealed that petitioner utilized aforesaid two stamp papers by issuing stamps valued at Rs.9,86,000/- in favour of Smt Sadhna and forged stamp papers valued at Rs.22,000/- in favour of Smt Kaushal Sunaria and improperly utilized GRN No.81618060 amounting to Rs.9,86,500/- and GRN No.81731023 amounting to Rs.22,000/-, in certain other sale deeds.

Apprehending his arrest, petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Faridabad. The same 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 had 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, even his 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 applied for defacement, which was approved by complainant, since an OTP was sent on the registered number of the complainant. Only after receiving a note from complainant, the detail of Stamp Papers were altered online in the name of some other person. 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 four cheques to complainant, which were returned. Two new cheques for Rs.5,00,000/- and Rs.5,08,500/- were issued, which were not presented. 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 criminal proceedings, in the factual backdrop of the case, are



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. Mahir Sood, Advocate, who has appeared for complainant contends that the petitioner illegally used two stamp papers purchased by the complainant, bearing GRN No.81618060 dated 06.09.2021 valuing Rs.9,86,000, for Smt Sadhna and GRN No.81731023 valuing Rs.22000/- in favour of Smt Kaushal Sunaria. The payment of these stamp papers was made by the complainant, but petitioner illegally utilized the aforesaid stamp papers in favour of aforesaid two persons and subsequently used them in respective sale deeds. 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 investigations conducted till date, it stands revealed that stamp duty payment receipt and e-challan bearing GRN No.81618060 valuing Rs.9,86,000 and GRN No.81731023 valuing Rs.22000/- were registered in the name of complainant, who had made payment of Rs.9,86,500/- and Rs.22,000/- into Cyber treasury account, but subsequently petitioner misused the aforesaid stamp papers in favour of Smt Sadhna and Smt Kaushal Sunaria. 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 four cheques of Rs.2,50,000/- each 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 also reveals that seven other criminal cases of like nature 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 prey 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