



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101-1

CRM-M-16942-2025
Decided on: 20.03.2026

SATBIR
.....Petitioner
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana, along with
ASI Sombir Singh.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Satbir, aged about 60 years	15	15.01.2025	34, 380, 406 and 420 of IPC	Badhra	Charkhi Dadri

2. After hearing the submissions addressed by counsel for the petitioner, on 06.05.2025 following order was passed:-

*“Contends, inter alia, that there was a written agreement dated 30.12.2023 (P-2) between the parties and in terms thereof, petitioner has already paid an amount of Rs.1,43,00,000/-(One crore and forty three lakh only) to the complainant side.
Per contra, learned counsel for complainant vehemently opposed the aforesaid contention on the premise that only an amount of Rs.4,00,000/-(Four*



Lakh only) has been received and rest of the amount is yet to be paid by the petitioner. Also submitted that petitioner has dismantled the crusher and taken away the entire machinery; thus committed the alleged offence.

Learned State counsel also supported the complainant while opposing the pre-arrest bail on the ground that apart from machinery, petitioner had taken away the entire goods lying on the site; thus, defrauded the complainant.

As the writing dated 30.12.2023 (P-2) is not disputed by the complainant; therefore, this Court shall refrain from going into the above disputed factual aspect of receipt of money, while considering the interim pre-arrest bail.

Posted on 24.07.2025 for further consideration.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

3. As per the allegations, a financial dispute admittedly arose after execution of the written agreement dated 30.12.2023. Further, as indicated in the order dated 06.05.2025, complainant has not disputed the execution of the said agreement. Therefore, the matter, in all likelihood, hinges upon the determination of the authenticity and validity of the said admitted document by both the parties.

4. On the other hand, learned State counsel on instructions, submits that in compliance of the order dated 06.05.2025 passed by this Court, petitioner has already joined the investigation, however, custodial interrogation of the petitioner is required.

5. Heard learned counsel for the parties.

6. Admittedly, petitioner has already joined the investigation, and no specific reason has been advanced by learned State counsel during the course of hearing, as to why further custodial interrogation of the petitioner is required. Moreover, while it remains the prerogative of the



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Investigating Officer, based on his satisfaction, to associate the accused with the investigation, such discretion must be exercised on cogent grounds. In the present case, this Court deems it appropriate to make the ad-interim bail order dated 06.05.2025 absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

20.03.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO