2026:PHHC:075685

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.17872 of 2026

Gajendra Singh ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	12.05.2026
2.	The date when the judgment is pronounced	14.05.2026
3.	The date when the judgment is uploaded on the website	14.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Kundu, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Rohit Mittal, Advocate,
for the complainant.

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MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short

"BNSS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
63	13.03.2026	City Ratia, District Fatehabad	409, 420, 467, 468 and 471 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Jasbeer Singh alleging that he was proprietor of M/s Haryana Pesticides which was dealing in the business of trading of pesticides. His firm had been purchasing pesticides from Nagarjuna and NACL Industrial Limited Company (For short "Company") since the last many years. At the time of giving dealership to him, the officers/officials of the company had procured his signatures on five blank cheques and blank letterpads by way of security. These cheques pertained to his account operated at Oriental Bank of Commerce which was later on merged with the Punjab National Bank. The complainant had been making considerable sales of the products of the company and he used to deposit the amount payable by him from time to time with it. From the last some years, Pawan Kumar, Managing Director of the Company and some officers namely the present petitioner, V.N. Raju, Kanan Upadhyay, Raghvendra alias Raghu, Sushil Sharma, Yogesh Partap Singh etc. as well as some other officials had told him that each employee of the company had been given a particular target to achieve and persuaded him to receive more products from the company by assuring that those products would be got sold by them

through the complainant and also told that they would guide him as in whose particular name, the invoices were to be prepared. On being induced by them, the complainant agreed to do the same since they had also extended threats that they would not sell their pesticides to him if he disagreed to their offer.

3. The complainant further alleged that the petitioner and the above named officers/officials then started getting issued invoices in the name of his firm qua sale of pesticides without obtaining any order from time to time. He did not receive the products but was simply asked to prepare some bills. He was assured that the credit note will come into the account of his firm subsequently and the petitioner and his accomplices took responsibility for the same. The complainant further alleged that on receiving the balance statement sheet up to 31.12.2023 from the company, he noticed that an amount of Rs.2,54,98,397/- was shown to be payable by him and the same was demanded from him though the same was not payable. The complainant intimated the company that the said balance statement was not correct as there was difference qua the quantity of the products that were actually sold by the petitioner and the one that were mentioned in the balance statement sheet. The petitioner alleged that pesticides worth lacs of rupees was shown to be sold by the company to his firm during the year 2023-24 whereas it was not so and by preparing some fabricated invoices and false receipts, the petitioner and other accused had

cheated and defrauded him by carrying out transactions by creating a forged e-mail ID in his name and misusing the same. As such, he prayed for taking action in the matter.

4. After registration of FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner moved an application for anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Fatehabad vide order dated 24.03.2026.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was posted as Regional Manager with the accused company and had been promoted as Senior Regional Manager in the year 2022-23. He had no role to play in the alleged transactions. An FIR No.169 dated 19.06.2024 has already been registered by the company. He has been cited as a witness in that case. Infact accused Raghvendra Singh @ Raghu posted as additional General Manager was the reporting officer of the petitioner. He was covering the areas of Punjab, Haryana, U.P., Himachal Pradesh and Jammu and Kashmir and was running offices at Karnal and Lucknow. It was he who was involved in cheating in connivance with the dealers and some other officials of the company. He has since been arrested. It is the company which infact is the victim of fraud committed by its employees i.e. co-accused Raghvendra Singh @ Raghu and others. He had submitted a request letter for acceptance of his resignation on 15.07.2025. No objection certificate has been issued in his favour and his resignation stands approved. He never handled the billing work of the

company which was the duty of the officials of Supply Chain Management Department. The dispute between the complainant and the company is of civil nature which has been given a criminal colour. The ingredients for commission of subject offences are not at all attracted against him. There is delay of 6-7 years in lodging of the FIR which has not been explained. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, argued that the petition deserves to be allowed.

6. Per contra, learned State counsel assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. The officials of the company of the petitioner had prepared a fake e-mail ID in the name of complainant firm and had misused the same. The case is at its nascent stage. For the purpose of conducting thorough investigation in the matter, the custodial interrogation of the petitioner is required as he was found to be actively exchanging vehicle numbers and rates through Whatsapp with intent to facilitate fraudulent generation of bills in collusion with dealers. He along with the co-accused systematically orchestrated direct dispatch of goods from the company to third party firms, while deceitfully causing official company invoices to be issued in the names of the complainant and the dealer firms. It has also been revealed that by deliberately misrepresenting actual rates and inducing the complainant and other witnesses under false pretences, the petitioner and the co-accused dishonestly procured invoices from their firms in favour of other entities,

thereby executing a well planned scheme of financial deception. The entire modus operandi reflects a premeditated and coordinated effort on the part of the petitioner and the co-accused to defraud not only the dealers but to their own company. The offence under Section 120-B of IPC has also been invoked in this case.

7. It is further argued that the petitioner while being posted as Regional Manager was part of the field level hierarchy along with the co-accused Raghvendra Singh and other officials and had been directly dealing with dealers including the complainant thereby coordinating supply, billing and movement of goods. Similar nature of other complaints had also been received from other pesticides dealers showing that the alleged act was not isolated but part of a systematic and organized course of conduct carried out through fields officials of the company. It is further submitted that since the role attributed to the petitioner is not merely peripheral but prima facie establishes his active association, knowledge and participation in the alleged fraudulent transactions. Therefore, his custodial interrogation is must not only for the purpose of ascertaining his role but also for eliciting information as to the manner in which the pesticide and seed stock was diverted from the warehouse of the company to other firms while bills were issued in the name of the complainant and similarly situated dealers; to identify the beneficiary firms; to recover relevant electronic devices; to ascertain the financial trail of transactions; to confront the petitioner with the statements of the complainant and other affected dealers; to recover relevant documents and to

interrogate him regarding the signatures which were used in the name of the firm of the complainant. It is also argued that no exceptional or sparing circumstance for exercising powers for grant of anticipatory bail is made out in this case and it is stressed that the petition does not deserve to be allowed.

8. This Court has considered the rival submissions.

9. The petitioner along with the co-accused is alleged to have caused wrongful loss of huge amount of money to the complainant by firstly inducing him to get issued invoices in the name of his firm without actually sending the products of the company i.e. pesticides to him and then by not adjusting the amount of those bills in the credit notes of the complainant. He is also alleged to have hatched conspiracy with the co-accused for direct dispatch of goods from his company to third party firms, while deceitfully causing the invoices of the company to be issued in the name of complainant without sending the goods/products to him. For the purpose of conducting proper investigation in the matter, his custodial interrogation is required. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. 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's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes

in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

10. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

14.05.2026
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No