



CRM-M-20642-2026

1

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

103-2

CRM-M-20642-2026

Uday Pal and another

...Petitioners

V/s

State of Haryana

...Respondent

Date of decision: 07.05.2026**Date of Uploading : 07.05.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Divyam Singh, Advocate for the petitioners.

Ms. Mahima Yashpal Singla, Senior DAG Haryana.

Mr. Najar Singh, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed on behalf of the petitioners seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS, 2023 in FIR No.187 dated 11.07.2025 registered for offences punishable under Sections 420, 406 and 120-B of IPC at Police Station Baldev Nagar, District Ambala.

2. As per the prosecution case, complainant Sanjeev Kumar, who is stated to be engaged in the power sector business at Faridabad has alleged that about one year prior to registration of the FIR, he came in contact with co-accused Brahm Prakash, a property dealer, who represented that he could facilitate purchase of land situated near Grain Market, Mohra, Ambala. It has been alleged that the complainant was thereafter introduced to the other accused persons including Yash Pal, Uday Pal and Bhanu Pratap Singh

(petitioners herein). It has been further alleged that the accused persons

**CRM-M-20642-2026****2**

jointly represented to the complainant that they would facilitate execution of an agreement to sell in respect of the land in question and showed certain agreements and documents relating thereto. Relying upon such assurances/representations, the complainant allegedly paid an amount of Rs.35 lakhs to the present petitioner and Rs.12 lakhs to co-accused Brahm Prakash in the presence of Patwari Parveen Kumar. Despite receipt of the said amount, neither any agreement to sell was executed nor the money was returned. Thereafter the accused persons stopped responding to the calls of the complainant. Based on these set of allegations, the instant FIR came to be registered.

3. Learned counsel or petitioners has iterated that the petitioners are innocent persons and have been falsely implicated into the FIR in question. Learned counsel has further iterated that the petitioners are neither named in the FIR nor they have ever met the complainant at any point of time. According to learned counsel, the FIR has been initially registered only against co-accused Yashpal Singh, Brahm Prakash and Patwari Parveen Kumar with the allegations pertaining to non-execution of an agreement to sell and the petitioners have no concern whatsoever with the complainant or the alleged transaction. It has been further iterated that the petitioners are agriculturists by profession and owners/co-sharers of land situated in village Dukheri, Tehsil and District Ambala. It has been further contended that much prior to the registration of the FIR in question, the petitioners have entered into agreements to sell dated 03.04.2024 and 22.06.2024 with M/s Sunjoss LLP, Gurugram through co-accused Yashpal Singh in respect of the said land for a total sale consideration of

**CRM-M-20642-2026****3**

Rs.1,04,00,000/- per acre and have received an amount of Rs.5 lakhs as earnest money in pursuance thereof. Learned counsel has emphasized that the petitioners have been implicated solely on the basis that co-accused Yashpal Singh has transferred an amount of Rs.5 lakhs into their accounts, which amount he allegedly received from complainant Sanjeev Kumar. Learned counsel has asserted that the petitioners have received the said amount in pursuance of the aforesaid agreements to sell and have no knowledge regarding any dealings between the complainant and co-accused Yashpal Singh. Furthermore, the petitioners have neither induced the complainant nor received any money directly from him. It has been further contended that no agreement to sell has ever executed between the complainant and the petitioners and therefore the basic ingredients of offences punishable under Sections 406 and 420 IPC are not attracted against them. It has been further contended that the matter essentially arises out of a dispute relating to execution of agreements to sell and is hence purely civil in nature. Moreover, a civil suit for specific performance instituted by M/s Sunjoss LLP through Yashpal Singh against the petitioners is already pending adjudication before the competent Civil Court wherein the petitioners have expressed willingness to perform their part of the agreement. It has been further contended that there is an unexplained and inordinate delay of more than one year in the registration of the FIR inasmuch as the alleged transaction pertains to June 2024 whereas the FIR has been lodged on 11.07.2025 which renders the prosecution story highly doubtful and an afterthought. It has been further submitted that the petitioners are law-abiding citizens; have deep roots in society and are ready



CRM-M-20642-2026

4

and willing to join investigation as and when required. Moreover, there is no likelihood of the petitioners absconding from the process of justice or tampering with the prosecution evidence in case they are enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioners and has submitted that though the petitioners were not initially named in the FIR but their involvement surfaced during the course of investigation on the basis of documentary as well as financial transactions. Learned State counsel has iterated that an amount of ₹5 lacs admittedly received by the petitioners from co-accused Yashpal Singh forms part of the amount allegedly cheated from the complainant and hence the financial transactions involving the petitioners require detailed investigation. It has been further contended that the agreements to sell dated 03.04.2024 and 22.06.2024 relied upon by the petitioners are subject matter of verification and the genuineness of the said agreements can only be ascertained after the detailed investigation. It has been further contended that the material collected during investigation *prima facie* indicates that the petitioners have been connected with the offence in question and the role played by each accused in the alleged conspiracy is yet to be fully unearthed. Learned State counsel has emphasized that the custodial interrogation of the petitioners is necessary for effective investigation, particularly for recovery of the cheated amount, tracing the money trail and recovery and verification of forged agreements and other relevant documents. Considering the seriousness of the allegations



CRM-M-20642-2026

5

and the stage of investigation, the dismissal of the instant petition is prayed for.

4.1. Learned counsel appearing for the complainant has raised submissions in tandem with the State counsel. Learned counsel has iterated that the allegations cannot be termed as merely civil in nature at this stage, as the material on record *prima facie* discloses dishonest intention and inducement from the very inception of the transaction. According to learned counsel, the nature of offence clearly indicates the existence of a larger conspiracy which is still under investigation. Accordingly, a prayer has been made for the dismissal of the petition in hand.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioners. Though the petitioners were not initially named in the FIR but the investigation carried out by the investigating agency has allegedly revealed their connection in inducing the complainant to part with substantial amounts of money on the representation that the land situated near Grain Market, Mohra, Ambala would be arranged and transferred in his favour. The role of the petitioners has surfaced during the course of investigation on the basis of financial transactions, documentary evidence and statements recorded by the investigating agency. Hence, the mere fact that the petitioners have not been named in the FIR, by itself, cannot be a ground for the grant of anticipatory bail. The material placed on record *prima facie* indicates that an amount of ₹5 lacs has been transferred by co-accused Yashpal Singh into the accounts



CRM-M-20642-2026

6

of the petitioners in relation to the proposed land transaction. The petitioners have admit the receipt of the said amount, though according to them, the same relates to earnest money pursuant to agreements to sell dated 03.04.2024 and 22.06.2024 executed with M/s Sunjoss LLP through Yashpal Singh. The question(s) as to whether the the said amount is part of a *bona fide* civil transaction or was connected with the amount allegedly cheated from the complainant; is a matter which requires detailed investigation and cannot be conclusively adjudicated upon at this stage. The plea of the petitioners that the matter is purely civil in nature also does not persuade this Court at this stage as the allegations *prima facie* disclose elements of cheating, dishonest inducement and conspiracy. The exact nature and extent of the involvement of the petitioners requires deeper investigation for which custodial interrogation of the petitioner may be essential. The grant of anticipatory bail at this stage may hamper the investigation.

7. No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioners have been falsely implicated into the present FIR. It goes without saying that in the instant case, the allegations against the petitioners, as emerging from the FIR and material placed on record, are neither vague nor general in nature. The complainant has specifically alleged that after being introduced to the petitioner by co-accused Brahm Prakash, he was shown certain agreements and documents pertaining to the land in question and was assured by the petitioners and other accused persons that the agreement to sell would be executed within a short period of time. At this stage, the material collected



during investigation *prima facie* discloses active participation of the petitioners in the alleged acts of cheating and conspiracy. The investigation is at nascent stage. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioners. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioners, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”



8. In view of the gravity of the allegations, the nature of the offence and the requirement of the custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioners do not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

9. In view of the prevenient ratiocination, it is ordained thus:

- (i) The instant petition is devoid of merits and is hereby dismissed.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 07, 2026
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No