



CRM-M-30009-2025 (O&M)

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

**CRM-M-30009-2025 (O&M)
DECIDED ON: 19.03.2026**

MANOJ KUMAR**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Ram Bhati, Advocate, and
Ms. Pooja Kumari, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Amit Choudhary, Advocate,
for the complainant.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in case, FIR No.11, dated 11.01.2025, under Sections 316(2), 318(4), 319(2), 61 of BNS (sections 338, 336(3), 340(2) of BNS added later on), registered at Police Station Sector 17, District Faridabad.

2. After hearing the submissions addressed by counsel for the petitioner, on 28.05.2025, following order was passed:-

“2. Learned counsel for the petitioner, inter alia, submits that although the anticipatory bail application of the main accused, Sandeep @ Sanju, has already been dismissed by this Hon’ble Court vide order dated 11.02.2025, passed in CRM-M-4156-2025, titled “Sandeep v. State of Haryana”, yet the petitioner’s case stands on a different footing. It is specifically contended that no direct or indirect monetary benefit has accrued to the petitioner from the alleged fraud



committed by the coaccused, thereby distinguishing his role altogether.

3. *Learned counsel further submits that petitioner has been implicated solely on the basis of the disclosure statement of co-accused Sandeep @ Sanju —whose anticipatory bail has already been declined — alleging that the present petitioner was also a conspirator in the commission of the said offence. However, there is neither any documentary evidence available on record nor any financial transaction reflecting any proceeds of crime credited to the petitioner's account, which could prima facie establish his involvement at this stage. Moreover, learned counsel submits that the petitioner is about 40 years of age, and no prior criminal antecedents have been attributed to him. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

6. *Adjourned to 21.07.2025.*

7. *Learned State counsel shall file the comprehensive status report details therein the allegations and the substantive evidence to prove the allegations.*

8. *Till the next date of hearing, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing.”*

3. Allegation against the petitioner is that he made all necessary arrangements for producing a woman, projecting her to be the actual owner, namely Hardai Devi, at the time of registration of the sale deed. For this purpose, he was allegedly paid an amount of Rs.15–20 lakhs, which was found to have been deposited in his bank account immediately prior to the registration of the FIR. It is further alleged that a new car was purchased in the name of his brother, Pardeep.



4. In the status report dated 24.10.2025, filed by learned State counsel, it has been mentioned that the main accused, namely Sandeep alias Sanju, had already been arrested on 12.03.2025, and it was he, who disclosed the name of the present petitioner along with other accused persons, alleging that they had prepared fake documents and produced a woman who impersonated Hardai Devi. In lieu thereof, petitioner is stated to have received a commission.

Out of the said commission, it is alleged that on 08.01.2025, a car—Hyundai Exter bearing registration No.HR-29-BE-1454—was purchased for an amount of Rs.9,34,000/- in the name of the petitioner's brother.

5. Further, status report attempts to establish that, as per CCTV footage and location data, both the brothers were present together at the time of deposit of Rs.8 lakhs in the bank account of the petitioner's brother, Pradeep Kumar.

6. Faced with these allegations, learned counsel for the petitioner submits that even if the contents of the status report are taken at their face value, same would not warrant custodial interrogation of the petitioner, at this stage. It is argued that the car was admittedly purchased by the petitioner's brother, who has independent financial resources, and mere assumptions cannot lead to the conclusion that petitioner was involved in the alleged offence or arranged for impersonation of Hardai Devi.

7. Counsel for the petitioner further contends that even if it is assumed that petitioner received a commission, such receipt, in isolation,



does not constitute an offence. In property transactions carried out under a *bona fide* belief, it is common for intermediaries to receive commission. Thus, he prays for grant of anticipatory bail to the petitioner in the present case.

8. On the other hand, learned State counsel as well as counsel for the complainant have vehemently opposed the submissions made on behalf of the petitioner, and submit that considering the nature and gravity of the offence, petitioner does not deserve the concession of anticipatory bail and, therefore, jointly pray for dismissal of the present petition.

9. This Court has heard the submissions advanced by counsel for the parties and has perused the record available on file.

10. At this stage, it appears that allegations are primarily required to be established through documentary evidence, for which custodial interrogation of the petitioner may not be necessary, particularly when the case against him is based largely on suspicion. Moreover, offences alleged are triable by the Court of learned Magistrate.

11. **Accordingly, this Court deems it appropriate to dispose of the present petition,** with direction to the petitioner to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).



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12. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

13. With the directions passed here above, present petition stands disposed of.

19.03.2026
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>