



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101-2 & 101-3

CRM-M-33853-2025 (O&M);
CRM-M-35479-2025(O&M)
Date of decision: 06.04.2026

1. CRM-M-33853-2025

Mukesh Bansal ...Petitioner

VERSUS

State of Punjab ...Respondent

2. CRM-M-35479-2025

Ankush Kumar ...Petitioner

VERSUS

State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vinod Ghai Senior Advocate assisted by
Mr. Arnav Ghai, Mr. Rishabh Gupta, Ms. Kashish Sahni &
Mr. Sukrit Chadha, Advocates for the petitioner(s)
in CRM-M-33853-2025.

Dr. Anmol Rattan Sidhu, Senior Advocate assisted by
Mr. Sanish Girdhar and Mr. Shiv Kumar, Advocates
for the petitioner(s) in CRM-M-35479-2025.

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

Mr. Neeraj Jain and Mr. Karan Singh, Advocates,
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

Both the present petitions arise out of the same FIR No. 129
dated 30.09.2024, registered under Section 420 of the Indian Penal Code,
1860 at Police Station City-1 Mansa, District Mansa by two accused
persons. In view of the commonality of facts and issues, both these petitions
are being decided by a common order.

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2. While CRM-M-33853-2025 has been filed seeking the concession of anticipatory bail, CRM-M-35479-2025 is a petition seeking grant of regular bail.

3. The present FIR has been registered on the statement of Gopal Garg, son of Ashwani Kumar Garg, proprietor of M/s Gopal Seed Farm, District Mansa. It is alleged by the complainant that he is engaged in the business of commission agency at Mansa and had developed acquaintance with Mukesh Bansal, who was carrying on business of pesticides at Bathinda and was stated to be operating through a partnership firm. The complainant asserts that Mukesh Bansal, on multiple occasions, represented that his business was yielding substantial profits, allegedly doubling the invested amount annually and that there was a need for additional funds to expand business operations. It is further alleged that Mukesh Bansal induced the complainant to join as a partner in the firm, promising lucrative returns and also introduced the complainant to Ankush Kumar, who is also stated to have reiterated the representations regarding high profits and the requirement of funds for business expansion. The complainant alleges that he was shown purported bills reflecting large-scale transactions, which later turned out to be false and on the basis of such representations, he was induced to invest a substantial amount. It is alleged that the accused demanded a sum of Rs.1 crore for the purpose of purchasing stock and the complainant, acting upon such inducement, deposited an amount of Rs.88,56,000/- on different dates into the firm of the accused. It is further alleged that, after a lapse of some time, when the complainant sought details of accounts and his share in the partnership, the accused persons avoided

furnishing any such information and instead demanded further investment. The complainant states that, upon suspecting dishonest intentions, he demanded proper accounts and documentation; however, the accused persons refused to provide the same and threatened him with dire consequences. It is further alleged that no formal partnership agreement was ever executed and that the complainant was deceived into believing that he had a stake in the business. It is also alleged that the accused persons threatened the complainant and his family and claimed that they had created multiple fictitious firms to defraud innocent persons and that the complainant was one such victim. On the basis of these allegations, the complainant sought initiation of criminal proceedings against the accused for cheating him by inducing investment through false representations and fabricated documents and also sought protection for himself and his family.

4. Learned Senior Counsel appearing on behalf of the petitioner in CRM-M-33853-2025 contends that the allegations levelled by the complainant primarily pertain to certain bills which are alleged to be forged and fabricated. It is submitted that levelling similar allegations with respect to supply of seeds, Abhishek Garg-brother of the complainant herein, had submitted a complaint against the petitioner. Except for the difference of sale of seeds therein and pesticides herein, the allegations are materially the same. The same was inquired into and vide communication bearing No. 366/5C/SP(B) dated 12.07.2024, the Deputy Superintendent of Police submitted a detailed report wherein it was concluded that the total value of the seeds/material supplied to the petitioner was approximately Rs.4 crores, out of which an amount of about Rs.1.5 crores had already been paid to the

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complainant. It was further observed in the said report that, although the complainant had raised a demand of nearly Rs.12 crores, no material was found on record to substantiate or justify such a claim. Learned Senior Counsel further submits that the inquiry report also recorded that the dispute between the parties arose out of mutual financial transactions. It was also noted that certain persons, namely Dr. Romi, Tarsem Singh and Kewal Singh, residents of Rama Mandi, District Bathinda, who were partners with the petitioner in a separate firm, had no connection with the present transaction. It is contended that, upon an overall assessment, the Deputy Superintendent of Police concluded that the matter pertained essentially to a financial dispute involving rendition of accounts, thereby giving rise to a civil liability rather than a criminal offence. Accordingly, it was recommended that the complaint be filed. The said report was accepted by the competent authority. It is further contended that, notwithstanding the aforesaid recommendation and acceptance thereof, the matter was subsequently marked for a further inquiry by the Superintendent of Police.

5. Learned Senior Counsel further submits that, being aggrieved by the initiation of a subsequent inquiry despite the earlier inquiry report having been accepted, Diksha Bansal, wife of the petitioner, approached this Court vide CRM-M-38489-2024 contending therein that, once a detailed inquiry had already been conducted and the report had been approved by the competent authority, there was no justification for subjecting the matter to multiple inquiries. It is submitted that this Court, vide its order dated 09.08.2024, issued notice to the respondent–State after taking note of the aforesaid contention, observing that the initiation of successive inquiries, in

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the absence of any fresh material, was prima facie unwarranted. The matter was subsequently taken up on 16.07.2025, where this Court reiterated that, once the allegations had been duly examined and the findings of the inquiry conducted by the Deputy Superintendent of Police had been approved by the District Police Chief, there was no occasion to re-open or re-conduct the inquiry on the basis of the same set of allegations. It was recorded that despite issuance of notice of motion on 09.08.2024, the jurisdictional police authorities overstepped their powers by registering the FIR especially when the matter was sub judice before this Court. Thus, a strong observation was recorded against the police, by this Court in its order of 16.07.2025. It is submitted that the said petition, i.e. CRM-M-38489-2024, is still pending adjudication.

6. It is further contended that the dispute, in essence, arises out of commercial dealings between the parties and that a purely civil transaction is being sought to be given a colour of criminality. Learned Senior Counsel submits that the complainant himself is an experienced commission agent and is well-versed with the nuances of the agricultural trade and business practices and, therefore, cannot plead ignorance with respect to the nature of transactions or the documentation involved therein. He argues that the allegations, even if taken at face value, do not disclose the commission of any cognizable offence and are, at best, indicative of a civil dispute arising out of business transactions between the parties.

7. Learned Senior Counsel further contends that on account of disputes between the petitioner and Abhishek Garg-brother of the complainant herein, both the brothers have resorted to levelling allegations

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against the petitioner with a view to initiate multiple criminal proceedings against him. It is further contended that, in respect of another FIR bearing No. 254 dated 12.10.2024, registered under Section 420 of the Indian Penal Code, 1860 at Police Station Sadar Mansa, District Mansa, the petitioner has already been granted the concession of anticipatory bail vide order of even date.

8. Learned Senior Counsel submits that the State authorities proceeded to register the FIR on the basis of a subsequent inquiry, even though the validity of such subsequent inquiry itself is under challenge before this Court. He further contends that an interim order was passed in favour of the petitioner restraining the respondents from taking coercive actions against the petitioner on 03.07.2025 whereafter, the matter was referred to mediation and the petitioner has already offered his parcels of land for settlement of disputes, however, the respondent-complainant offered that they shall only close one case and pursue the other, hence, the settlement did not materialize. He further contends that after noticing the developments that took place in this case, this Court vide order dated 29.10.2025 directed the petitioner to join investigation as and when required for by the Investigating Agency. It is submitted that consequent thereto, the petitioner has already joined investigation and extended all co-operation and that the repeated initiation of criminal proceedings reflects an abuse of process and an attempt to exert undue pressure upon the petitioner in a dispute which is fundamentally civil in character.

9. Learned State Counsel submits that the custodial interrogation of the petitioner is not required for further investigation in the present case.

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10. Learned counsel appearing on behalf of the complainant, however, reiterates the allegations as set out in the FIR and contends that the petitioner had induced and allured the complainant into parting with substantial sums of money on false representations. The report dated 12.07.2024 is however not disputed.

11. Learned Senior Counsel appearing on behalf of the petitioner in CRM-M-35479-2025 points out that the investigation in the present case already stands concluded and the final report has been filed before the competent Court. It is further contended that the petitioner was arrested on 22.04.2025 and was subsequently granted the concession of interim bail on 31.07.2025. He further contends that investigation in the case stands concluded and the final report stands filed and that the petitioner has been regularly appearing before the Trial Court since then.

12. Learned State Counsel does not dispute the aforesaid facts.

13. I have heard learned counsel for the respective parties and have gone through the documents appended alongwith the present petitions.

14. Taking into consideration the submissions advanced and upon a prima facie assessment of the material on record, I am of the opinion that there exist arguable issues with respect to the offence being made out or not and whether the disputes are essentially a civil dispute arising out of commercial transactions. It is further evident that the matter had earlier been subjected to an inquiry, which culminated in findings in favour of the petitioner, holding the dispute to be of a civil nature.

15. Thus, without commenting on the merits of the matter and considering the aforesaid aspect and totality of circumstances coupled with

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the submission made by the learned State counsel that the custodial interrogation of the petitioner is no longer required for the purposes of investigation, I deem it appropriate to allow the present petition. Accordingly, the order dated 29.10.2025 passed by this Court granting interim bail to the petitioner in CRM-M-33853-2025 is made absolute.

16. Insofar as CRM-M-35479-2025 is concerned, it is a matter of record that the petitioner therein was granted the concession of interim bail vide order dated 31.07.2025 and has, since then, remained on bail. It has not been brought to the notice of this Court that the petitioner has misused the concession so granted. Further, learned State counsel submits that the custodial interrogation of the petitioner is not required for the purposes of further investigation. In view of the aforesaid circumstances and without expressing any opinion on the merits of the case, I deem it appropriate to allow the present petition. Accordingly, the interim order dated 31.07.2025 passed in CRM-M-35479-2025 is made absolute.

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

06.04.2026
Sumit Gusain

(VINOD S. BHARDWAJ)
JUDGE

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