

2026:PHHC:045553



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

205 (2 cases)

CRM-M-49774-2025

&

CRM-M-24214-2025

Date of Decision: 23.03.2026

VINOD KUMAR

... Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Vikas Gupta, Advocate
for the petitioner(s).

Mr. Vijay Kumar, AAG, Haryana.

Mr. Rahul Sidher, Advocate
for respondent No.2 in both cases.

H.S. GREWAL, J. (ORAL)

Both the abovementioned petitions are being decided by a common order since the same arise out of same complaint case.

2. The instant petitions have been filed by the petitioner under Section 483(3) read with Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 seeking cancellation of anticipatory bail granted to respondents No.2 in both cases namely Narender Singh Jangra and Nathu Ram by the Addl. Sessions Judge, Fatehabad vide orders dated 29.03.2025 and 30.07.2025 respectively passed in Criminal Case bearing No.COMI-35 of 2023 dated 19.09.2023 titled as 'Ramphal and another Versus Nathu Ram etc.' pending in the Court of learned JMIC, Tohana.

3. Brief facts of the case are that the private respondents No.2 in connivance with other accused persons namely Bhupendra son of Madan Lal and Ravinder son of Nathu Ram had committed fraud upon the complainants to the tune of Rs.50,00,000/- on the pretext of providing government jobs to them, however, they did not do so. The complainant moved a complaint before the police against four persons, but the police registered FIR No.130 dated 06.06.2023 under Sections 406 and 420 of IPC at Police Station Sadar Tohana, District Fatehabad against accused Ravinder only and declared the other accused persons as innocent. Aggrieved of the same, the complainants moved a criminal complaint bearing No.COMI-35 of 2023 dated 19.09.2023 titled as 'Ramphal and another Versus Nathu Ram etc.' against all the accused persons, wherein the trial Court summoned all the accused persons including respondents No.2 herein. However later on, the matter was settled amicably, whereby the private respondents had agreed to pay a sum of Rs.38,00,000/- in three installments, but no such payment was made.

4. Learned Counsel for the petitioner contends that the respondents No.2 succeeded in getting anticipatory bail from the Court of learned Addl. Sessions Judge, Fatehabad vide impugned orders dated 29.03.2025 and 30.07.2025 respectively. However, after getting the anticipatory bail from the Court, the respondents resiled from the terms and conditions of the compromise and denied to pay the agreed amount of Rs.38,00,000/-. He further submits that since the private respondents No.2 failed to abide by the terms and conditions of the compromise, the benefit of anticipatory bail granted to them ought to be cancelled/withdrawn.

5. Learned State Counsel on the other hand, contends that it is a matter of private complaint between two parties and the State has no role to play at this stage.

6. Per contra, learned counsel for the respondents No.2 in both cases vehemently opposes the petitions on the ground that the petitioner/complainant has not brought on record any cogent and convincing material which could warrant the interference by this Court qua cancellation of the anticipatory bail granted to them. Hence, the petitions are liable to be dismissed. He prayed accordingly.

7. I have heard learned counsel for the parties and perused the record.

8. From a careful perusal of the record, it is apparent that the petitioner has not made out or referred to any ground under the provisions of law, whereby he may be able to allege that any of the terms and conditions of Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 have been violated by the private respondents. Moreover, a careful perusal of impugned orders dated 29.03.2025 and 30.07.2025 respectively (Annexure P-4) clearly shows that the private respondents were not granted the benefit of anticipatory bail on the basis of any compromise allegedly arrived at between the parties, rather the impugned orders have been passed on merits while holding that since the private respondents have been summoned to face trial in a complaint case, their custodial interrogation would not be necessary. Even none of the terms and conditions cited in the impugned orders have been stated to be violated by the private respondents. It appears that the petitioner has filed the instant petitions as a tool to recover the alleged amount, which is not permissible in the eyes of law.

9. In light of the above, no ground is made out to entertain the instant petitions and to cancel the anticipatory bails granted to respondents No.2 by the Court of learned Addl. Sessions Judge, Fatehabad.

10. Dismissed.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case. However, the petitioner(s)/complainants would be at liberty to initiate recovery proceedings against the private respondents, if permissible in accordance with law.

MARCH 23, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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