



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

213

CRM-M-45400-2025
Date of Decision:-12.03.2026

RAM KUMAR JHA

.....PETITIONER

VS.

STATE OF HARYANA

.....RESPONDENT

CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajat Sheokand, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the present petition under Section 482 of BNSS is for grant of anticipatory bail to the petitioner in FIR No.22 dated 22.01.2025 under Sections 318(4), 318(2), 316(2) of BNS, registered at Police Station Murthal, District Sonipat.

2. On 20.08.2025, the following order was passed:-

“Notice of motion.

Since advance notice has already been served upon the State, Mr. Parveen Kumar Aggarwal, Additional Advocate General, Haryana, accepts notice on behalf of respondent and waives service.

The learned State counsel wants to file a detailed reply to the petition for anticipatory bail. He is seeking adjournment for the same.

Adjourned to 10.09.2025.

In the meantime, no coercive steps shall be taken against the petitioner.”

3. Thereafter, on 10.09.2025, the following order was passed:-

“Today it has been transpired that the petitioner is yet to join investigation.

Learned counsel for the petitioner submits that permission be afforded to the I.O to join the petitioner in the investigation of present case. The request is hereby accepted and the petitioner is directed to join the investigation as and when called by the I.O.

However, it is hereby directed that in the event of his arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Adjourned to 07.11.2025.”

4. Thereafter, on 07.11.2025, the following order was passed:-

“The learned State counsel has stated that two opportunities have already been given to the petitioner but he has not joined the investigation, despite the fact that the Investigating Officer approached the petitioner personally.

On the request of learned counsel for the petitioner, adjourned to 16.12.2025.

However, in view of above mentioned conduct the interim protection provided to the petitioner is hereby withdrawn.”

5. Thereafter, on 15.01.2026, the following order was passed:-

“For the commission of offence punishable under Sections 1. 318(4), 318(2) and 316(2) of the Bharatiya Nyaya Sanhita, 2023, hereinafter being referred to as "BNS" only, the FIR No. 22 dated 22.01.2025 has been lodged in Police Station Murthal, District Sonipat, Haryana. In the above- mentioned case, the petitioner is apprehending arrest, and therefore, by virtue of present petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as "BNSS" only, he has approached this Court for the benefit

of anticipatory bail. This is first petition for anticipatory bail, filed by the petitioner, under Section 482 BNSS.

2. Briefly stating the facts emerging from record are that a complaint was received in the office of Director General of Police, Haryana against 'Human Welfare Credit Co-operative Society Limited' hereinafter being referred to as "Society". According to complainant, the above mentioned Society was formed under 'Multi State Co-operative Societies Act, 2002', with an objective to provide saving schemes like fixed deposits and recurring deposits. As per complainant, the above mentioned Society and its office bearers projected the above mentioned Society to be a reliable and safe financial institution and thus, a large number of persons invested money in the above mentioned Society, but subsequently the above mentioned Society went into liquidation and thus, defrauded a large number of investors.

3. It is the case of prosecution that in view of above mentioned complaint, formal FIR of this case was lodged and the investigation taken up. According to prosecution, the investigation in this case is still in progress.

4. Notice of motion.

4. Since advance notice has already been served upon the State, Mr. Parveen Kumar Aggarwal, Additional Advocate General, Haryana, accepts notice on behalf of respondent-State. Hence, service of notice upon the State is hereby dispensed with.

5. Heard.

6. It has been contended on behalf of petitioner that the petitioner is innocent, and that he was simply an employee of the company which has allegedly duped the complainant and other investors. According to learned counsel for the petitioner, the petitioner is not the beneficiary of the alleged fraud or the loss caused to the complainant and therefore, he cannot be held responsible for the loss caused to the depositors/investors. It has also been contended by learned counsel for the petitioner that in the present case, similarly placed accused, namely Parikshit Parse had

approached this Court for the benefit of anticipatory bail which has already been afforded to him by this Court by virtue of order dated 16.07.2025.

7. In addition to above, the learned counsel for the petitioner has also argued that the offence is triable by the Court of Judicial Magistrate and the evidence to be collected by the Investigating Agency is documentary in nature and therefore, custodial interrogation of the petitioner is not likely to produce a fruitful result.. The learned State counsel being assisted by the learned counsel for the complainant has controverted the above mentioned arguments.

According to learned State counsel the petitioner is a habitual offence who was instrumental in convincing the public and promoting the cause of company which led to a large scale fraud. As per learned State counsel in similarly placed two cases the benefit of bail has been denied by this Court to the petitioner.

8. The record has been perused carefully.

9. A perusal of the record shows that there are several factors which are required to be taken into consideration at this stage. Those factors are:-

i) that the offence is triable by the Court of Judicial Magistrate;

ii) that the benefit of bail to a similarly placed accused has already been afforded to the co-accused; that the petitioner is only an employee of the Society/company, which is in the process of winding up and thus, he cannot be treated to be a beneficiary of the alleged fraud;

iv) that the entire evidence to be collected by the Investigating Agency is documentary in nature and therefore, custodial interrogation of the petitioner is not likely to yield any fruitful result;

v) that nothing is left to be recovered from the possession of petitioner;

vi) that trial of the case is not likely to be concluded in near future;

vii) that there is nothing on record to show that while on interim anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and

viii) that there is nothing on record to show that while on interim anticipatory bail, the petitioner will not participate/cooperate in the investigation.

10. Taking into consideration the cumulative effect of all the above- mentioned factors, it is hereby held that the petitioner is entitled for interim anticipatory bail.

11. Thus, it is hereby ordered that in the event of his arrest, the petitioner shall be released on interim anticipatory bail on furnishing bonds to the satisfaction of the Investigating Officer. The petitioner shall join the investigation as and when called by the Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of the BNSS, 2023.

12. List on 08.04.2026.

13. Let status report and detailed reply, if any, be filed by the State by next date.”

6. Despite passing of the afore-mentioned orders, the petitioner has not joined the investigation.

7. In view of the above, I find no merit in the present petition and the same stands dismissed.

8. All the pending miscellaneous applications, if any, stand disposed of.

12.03.2026
Kusum

(JASJIT SINGH BEDI)
JUDGE

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