

2026:PHHC:030992



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

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CRM-M-59891-2025 (O & M)
Date of decision: 25.02.2026

SANJAY SHARMA

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Aman Pal, Sr. Advocate with
Ms. Neha Rani, Advocate,
for the petitioner.

Mr. B.S.Saroha, DAG, Haryana.

Mr. Kanwal Goyal, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in case FIR No.297 dated 26.09.025, registered at Police Station Bhuna, District Fatehabad, under Section 316(2) BNS, 2023.

2. On 24.10.2025, this Court had passed the following order:-

“Petitioner has filed the present petition seeking pre-arrest bail on the allegations that petitioner is innocent and has been falsely implicated in the present case. The present FIR is a counter-blast to the FIR got registered by the petitioner against the complainant as complainant has cheated the petitioner and FIR No.95 of 2025 has been registered at Police Station City Tohana against the complainant.

Petitioner has lured by the complainant to be a partner with him in his liquor business and he has invested sum of Rs.60,00,000/- for acquiring 25% share. Apart from this amount, Rs.82,50,000/- was also given by the applicant to the complainant in the form of loan vide bank transfers.

An amount of Rs.6,28,325/- towards the down payment of car was transferred by the petitioner in the account of complainant vide RTGS on 25.07.2024 and the same amount was transferred in the account of Malik Toyota Car Agency, Barwala Road, Hisar by the complainant. The allegations against the complainant in FIR are that he has taken the car of the complainant bearing registration NO. HR-23L-7935 but is not returning the same for the past 10-11 months.

Notice of motion.

Mr. Paramjeet Singh, learned Deputy Advocate General, Haryana, accepts notice on behalf of the respondent/State.

Mr. Kamal Goyal, Advocate, puts in appearance on behalf of the complainant and filed his Vakalatnama, which is taken on record.

I have heard the arguments and perused the record carefully.

Initially, petitioner was allowed anticipatory bail by the learned Additional Sessions Judge, Fatehabad and petitioner joined investigation but subsequently, the interim bail order was recalled and bail application was dismissed vide order dated 18.10.2025 on the allegations that petitioner failed to co-operate in the investigation and has not got recovered the vehicle and that a false stand has been taken that initial amount was given by him which has been falsified from the account of car company. Petitioner in the application has not taken a stand that he has transferred the initial amount to the car company rather his stand is that he transferred the amount in the account of complainant and complainant transferred the amount in the account of car company on same day. It is a settled law that pre-arrest bail application cannot be dismissed on the ground that petitioner failed to get affected recovery of the case property.

In the present case, petitioner is alleging some right, title or interest in the case property though the car is registered in the name of complainant and a civil suit is pending between the parties and there is version and counter version with regard to allegations contained in the FIR, which is required to be investigated by the Investigating Agency. The offence is punishable upto 7 years of imprisonment only and is triable by the Magistrate. In such circumstances, petitioner is granted interim bail with the directions to join investigation within a period of seven days.

Adjourned for 10.12.2025.”

3. Learned Senior Counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Learned State counsel on instructions from ASI Major Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 24.10.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

25.02.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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