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

**CRM-M No.59942 of 2025
Date of Decision: 22.01.2026**

Samedeen @ Dr. Sameer

....Petitioner

Versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Abhijeet Sharma, Advocate and
Mr. Dhananjay Singh, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.571, dated 19.09.2025, under Sections 120-B, 406 & 420 of IPC, registered at Police Station Gharaunda, Karnal.

2. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of complainant, namely, Narinder Kumar, Ishwar Singh, Roshan, Satbir Singh, Vikram Kumar, Sonu Kumar and other persons against Parveen Kumar Kataria, his wife Sneh Lata, his nephew Rohan and Samedeen @ Dr. Sameer. It was alleged that Parveen Kumar Kataria met them in the year 2021 and told that he has a very good business in which they should invest their money and he will double the same. It was alleged that on asking, he told that



there is company in the name of Nitro NFC Coin, in which he himself has invested the money. The complainant believed them and thereafter, accused persons took amounts of Rs. 2,50,000/-, Rs. 5,00,000/-, Rs. 10,00,000/- and Rs. 2,50,000/- from them in the name of different schemes and thus, cheated them of Rs. 5 Crores approximately. It was further alleged that in the first year accused persons put some money in the accounts of the complainant but in the year 2022, accused persons stopped giving them money and only gave tokens by saying that it is like their money and whenever the rate increases they can withdraw the same and further told them that they will give them dollars in lieu of the tokens by which they will get more money. It was alleged that whenever complainants demanded their money from the accused persons, they denied the same on one pretext or the other and further threatened the complainant in case they demanded the money again, the accused persons would kill them. Thus, prayer was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. Apprehending his arrest, the petitioner approached the Court of learned Additional Sessions Judge, Karnal praying for the grant of anticipatory bail. However, after hearing both the sides, finding no merit in the same, the learned Additional Sessions Judge, Karnal dismissed the petition filed by the petitioners vide order dated 08.10.2025. Being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of anticipatory bail.



3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner has no concern with the alleged offence. He submits that there is no specific allegation against the petitioner that he fraudulently collected money from anyone. He submits that there is no record of any financial benefit having accrued to the petitioner rather he himself is the victim as he and his family members also invested in the Company. He submits that brother of the petitioner also invested his money in the company, who moved the complaint to the Police against the main accused Parveen Kataria and Ajay Gupta. He submits that there is no evidence to show that the petitioner is the partner of main accused Parveen Kataria. He has submitted that though the petitioner is involved in 05 more cases, however, he is on bail in those cases. He thus, submits that in the facts and circumstances, the petitioner deserves to be granted anticipatory bail.

4. Learned State counsel has opposed the submission made by counsel for the petitioner and has submitted that the petitioner had committed cheating in connivance with other co-accused. He submits that the petitioner duped crores of rupees of public by opening different companies. He submits that the petitioner is a habitual offender who is facing prosecution in 04 more FIRs for committing the crime of same nature. He further submits that an amount of Rs.5,46,000/-, of complainant Ishwar Singh, is directly deposited in the account of present petitioner, which strengthens his complicity in committing the offence.



He submits that production warrants of present petitioner and co-accused Parveen Kataria, were also got issued from the trial Court, however, as the petitioner got bail in other cases, therefore, he approached this Court by way of filing of present petition. He submits that the investigation is at the initial stage and to unearth the truth, custodial interrogation of the petitioner is required and thus, he does not deserve the concession of bail.

5. This Court vide order dated 29.10.2025 directed the Investigating Agency not to take any coercive action against the petitioner and State was directed to file the status report. Status report by way of affidavit of Manoj Kumar, HPS, Deputy Superintendent of Police, Gharaunda, Karnal has already been filed. Perusal of the Status report dated 11.11.2025, shows that the petitioner is a habitual offender who is facing prosecution in 04 more FIRs for committing the crime of same nature. It further reflects that an amount of Rs.5,46,000/- of complainant Ishwar Singh, is directly deposited in the account of present petitioner, which proves the clear involvement of the petitioner in committing the crime.

6. On hearing of the counsel for the parties and perusing the record, it is apparent that the petitioner in connivance with co-accused had duped public of crores of rupees including the present complainants. Though, brother of present petitioner has moved a complaint to the police qua fraud committed by him in the name of investment in the company of Parveen Kataria and Ajay Gupta, but no such effort or complaint was



done by the petitioner to show his claim that he is also the victim in this case. This Court finds that evidently the investigation is at threshold.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) BNSS which reads as under:-

“Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
 - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*

8. As per the law settled by the Hon'ble Supreme Court, in ***Gurbaksh Singh Sibbia Vs. State of Punjab***, AIR 1980 SC 1632, while granting anticipatory bail, the Court is to maintain a balance between the individual liberty and the interest of society. However, the interest of the



society would always prevail upon the right of personal liberty. The relevant part of the judgment is as follows:-

“31. *In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in State v. Captain Jagjit Singh (1962) 3 SCR 622, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the*



Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.”

9. The Hon'ble Supreme Court in ***State Vs. Anil Sharma***, (1997) 7SCC 187, held as under:-

“6. *We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the Code. In a case like this effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”*

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* found. Allegations made against the petitioner are serious in nature. Needless to say, the investigation is at the initial stage and in the facts and circumstances, custodial interrogation of the petitioner would be essential and granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the overall facts and circumstances of the case, the petitioner does not qualify for the grant of anticipatory bail and the same is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

22.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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