



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

**CRM-M-60662-2025
Date of decision: 19.02.2026**

Vedpal @ Vedpal Singh

.....Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Vikram Rana, Advocate
for the complainant.

RAJESH BHARDWAJ, J.

1. Petitioner has approached this Court praying for grant of anticipatory bail to him in case FIR No.121 dated 23.09.2025, under Sections 406, 420 of the Indian Penal Code, 1860, registered at Police Station Jui Kalan, District Bhiwani.

2. Succinctly facts of the case are that the complainant moved a complaint against Ved Pal (petitioner) alleging that Ved Pal approached him with an offer to invest/deposit money in the shape of FDR in financial company owned and operated by Ved Pal with the assurance of giving more profits. Accordingly, the complainant deposited Rs.65,466/- on 24.12.2013 vide FD No.2136 for one year with the assurance of return of Rs.81,202/- on 24.12.2014. Another FDR bearing No.2135 dated 07.07.2014 for Rs.9,40,912/-, date of maturity 07.07.2015, amount payable on maturity Rs.11,66,730/-; FDR No.2277 dated 07.11.2014 invested amount Rs.3,00,000/-, date of maturity 07.11.2015, matured amount Rs.3,72,000/-; FDR No.2134 dated 17.06.2014, invested amount Rs.1,24,000/-, date of maturity 17.06.2015, amount due on maturity Rs.1,53,760/-; FDR No.2903



dated 14.01.2015, invested amount Rs.2,00,000/-, date of maturity 14.01.2016 and due amount on maturity Rs.2,48,000/-. Hence, the complainant is cheated of total Rs.16,30,398/-. When the above FD(s) got matured, he contacted the accused and asked for money, however, the accused started delaying and gave false assurance of returning the money and on 30.05.2025 when the accused refused to return the abovesaid money, he threatened to kill the complainant. Request was made to take legal action against Ved Pal. On registration of the FIR, investigation commenced. Apprehending arrest, petitioner approached the Court of learned Additional Sessions Judge, Bhiwani praying for grant of anticipatory bail. However, after hearing counsel for both the sides, the same was declined vide order dated 16.10.2025. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case to extort money from him. He submits that nephew of the complainant is an accused in a case of physical assault lodged by the petitioner and the present case is filed just to counter the criminal case instituted by the petitioner against the nephew of the complainant. He further submits that the complainant has not transferred even a single penny in the account of the petitioner. He submits that the petitioner has no role in the alleged crime as no financial transactions have been traced to the petitioner's bank account nor there is any record of the petitioner engaging in communication via telephone. He submits that the petitioner was granted interim protection from the Court vide order dated 04.11.2025. He thus, submits that in the facts and circumstances of the case, no *prima facie* case as alleged is made out and hence, petitioner deserves to be granted anticipatory bail.



4. Learned State counsel has however, vehemently opposed the submissions made by counsel for the petitioner. He submits that there are specific allegations against the petitioner that he has cheated the complainant on the false assurance of profits. On instructions, he submits that the petitioner is a habitual offender as there are 08 other cases including 05 case of cheating and forgery against him. He submits that the petitioner is taking benefit of interim protection granted by this Court vide order dated 04.11.2025. He submits that custodial interrogation of the petitioner is necessary to recover the invested money by the complainant and also to unearth the names of the persons associated with the petitioner.

5. Learned counsel for the complainant has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner had played an active role in cheating the complainant on the false pretext of giving profits. He has submitted that petitioner had sought the interim protection by this Court on the false promise. He submits that the petitioner was never keen to settle the dispute amicably as was submitted before this Court. He thus, submits that no case for the grant of anticipatory bail is made out and the same being devoid of any merits, deserves to be dismissed.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the allegation against the petitioner is regarding cheating of Rs.16,30,398/- on the pretext of investment in financial company owned and operated by the petitioner. As submitted there are 08 other cases against the petitioner including 05 cases of cheating and forgery. Perusal of the case file would show that vide order dated 04.11.2025, this Court had directed the State not to take any coercive action against the petitioner. This Court finds that evidently the investigation is at threshold. The interim protection granted



to the petitioner was only on the undertaking given before this Court that the petitioner was ready to settle the dispute but the same has been misused.

The Hon'ble Supreme Court in a recent judgment of '**Gajanan Dattatray Gore Vs. State of Maharashtra, 2025 INSC 913**' has held that bails should not be granted solely on the undertaking given by the accused persons. The relevant part of the same reads as under:-

'Be that as it may, now we have made ourselves very clear that there shall not be a single order that the High Courts and the Trial Courts shall pass for grant of regular bail or anticipatory bail on the basis of any accused or his/her family members giving an undertaking to deposit a particular amount. The plea shall be decided strictly on merits in accordance with law. If the case is made out on merits the court may exercise its discretion and if no case is made out on merits the court shall reject the plea for regular bail or anticipatory bail as the case may be. However, in any circumstances the High Courts or trial courts shall not pass a conditional order of regular bail or anticipatory bail.'

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 which reads as under:-

"Direction for grant of bail to person apprehending arrest:-

Where 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.

When the High Court or the Court of Sessions 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 subsection (3) of Section 480, as if the bail were granted under that Section.

8. As per 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 also 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 and circumstances of the present case on the anvil of law settled, this Court is of the opinion that the custodial interrogation of the petitioner is very much essential to bring the truth on record and as such, petitioner does not qualify for exercising the extraordinary powers by this Court in his favour. Resultantly, the petition being devoid of any merit is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.02.2026
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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