

2026.PHHC.049513



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

108

CRM-M-64619-2025 (O & M)

Date of decision: 30.03.2026

SANJAY

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kapil Aggarwal, Advocate, for the petitioner.

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

Mr. Ashwani Nagra, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 of BNSS is for grant of anticipatory bail to the petitioner in FIR No.750 dated 01.10.2025, registered under Sections 316(2), 318(4), 61 of BNS, 2023 at Police Station Karnal Sadar, District Karnal.

2. On 17.11.2025, this Court had passed the following order:-

“Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioner in FIR No.750 dated 01.10.2025, registered under Sections 316(2), 318(4), 61 of BNS, 2023 at Police Station Karnal Sadar, District Karnal.

Notice of motion. Ms. Jasmine Gill, AAG, Haryana, has appeared and accepted notice on behalf of the State. Mr. Ashwani Nagra, Advocate has put in appearance on behalf of the complainant and accepted notice and filed his vakalatnama, which is taken on record. All parties have been heard and material collected by the police during investigation has been perused.

The present case was registered on the basis of statement given to the police by Surender with the allegations that his relative Ravinder met him and told that he can send his son abroad on work permit for which he

will have to pay Rs.15 to 16 lacs. Out of which, some money shall have to be given in advance and balance amount can be given later on. He sold his plot for about Rs.7 lacs and gave the amount to accused Ravinder, out of which a sum of Rs.4,62,000/- was deposited through bank in his account. He had also told him that he alongwith petitioner-Sanjay sends people abroad. Thereafter, he was shown tourist visa for Netherland and he was asked to pay another sum of Rs.8,50,000/- which was paid by him by selling jewellery of his wife. When his son went to Delhi Airport, he was sent back on the ground that the visa and documents are wrong. Thereafter, accused have neither sent his son abroad nor have returned the amount and he sought action against them.

Learned counsel for the petitioner contended that all the allegations in the FIR are against accused Ravinder and as per version in the FIR, said Ravinder had told the complainant that he alongwith petitioner Sanjay sends people abroad but there is no allegation that petitioner ever met the complainant or induced him to pay him any amount in lieu of sending his son abroad. The promise to send abroad was made by Ravinder to whom the payment was allegedly made and no payment was made to the petitioner. Learned counsel contended that petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour.

On the other hand, learned State counsel assisted by learned counsel for the complainant has opposed the bail and argued that complainant has been cheated of his hard earned money by both the accused in furtherance of their common intention. The money is yet to be recovered and the custodial interrogation of the petitioner is also essential to elicit the modus operandi adopted by the accused while cheating the complainant and he does not deserve the concession of anticipatory bail.

Petitioner never met the complainant or promise to send his son abroad. No amount has also been paid to him. Accordingly, adjourned to 15.01.2026 for filing status report.

In the meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-

- i) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- ii) that the petitioner 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/her from disclosing such facts to the Court or to any police officer;
iii) that the petitioner shall not leave India without the prior 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.”

3. Learned counsel submits that in pursuance of the aforementioned 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 the Investigating Officer, 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 17.11.2025 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.

30.03.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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