



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
132-2
CRM-M-65563-2025 (O&M)
Decided on : 23.03.2026

Amit Lamba . . . Petitioner(s)
Versus
State of Haryana and others . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Anil Shukla, Advocate
for the petitioner(s).

Mr. Parveen Kumar Garg, Addl. AG, Haryana.

Mr. Nitin Sharma, Advocate
for the complainant(s).

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Amit Lamba, aged about 46 years	232	13.10.2025	231, 308(6), 318(4), 351(3) of BNS, 2023	Arya Nagar	Rohtak

2. In the present case, on 20.11.2025, following order was passed by this Court:-

“2. On oral request made by counsel for the petitioner, Rajnesh Kumar, son of Krishan Kumar, resident of VPO Siwana, Tehsil Beri, District Jhajjar, is hereby ordered to be impleaded as respondent No.2.
Let amended memo of parties be filed by counsel for the petitioner, in the Registry, within a period of three days from today, without moving any separate application.
3. Learned counsel for the petitioner inter alia, contends, that



co-accused Harsh Kumar had filed a complaint under Section 138 of the Negotiable Instruments Act against respondent No.2, Rajnesh Kumar, on account of dishonour of a cheque amounting to Rs.2,90,000/-. During the pendency of the said complaint, parties arrived at a compromise, and consequently, a compromise deed dated 16.09.2025 was placed on record by co-accused with a request to pass an award on the basis of the said compromise.

4. *Learned counsel for the petitioner submits that the petitioner's role is limited to being one of the signatories to the compromise, having no direct interest in the dispute or in any of the monetary transactions between the contesting parties.*

5. *Counsel for the petitioner submits that allegations pertain solely to documentary evidence, and the truth can be ascertained only by examining the documents relied upon by both the sides. Therefore, custodial interrogation of the petitioner would serve no useful purpose.*

Counsel for the petitioner also submits that co-accused namely, Harsh Kumar, has already been granted the concession of interim anticipatory bail by this Court vide order dated 18.11.2025 passed in CRM-M-65118-2025. Thus, counsel seeks concession of anticipatory bail to the petitioner in the present case.

6. *Notice of motion.*

7. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

Mr. Nitin Sharma, Advocate appears on behalf of respondent No.2.

8. *Adjourned to 15.01.2026.*

9. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.



11. *To be heard alongwith CRM-M-65118-2025.”*

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 20.11.2025 passed by this Court, the petitioner has joined the investigation and has fully cooperated. Therefore, he prays for confirmation of the interim anticipatory bail order.

4. On the other hand, learned State counsel has filed the status report dated 14.01.2026 in Court, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to learned counsel for the petitioner.

5. Learned State counsel submits that the petitioner is a habitual offender and is found involved in several other cases, the details whereof are mentioned in para No.8 of the status report. As per point (b), the petitioner has been convicted and sentenced to undergo imprisonment for a period of three years and to pay a fine of Rs.9.00 lakhs. In another case, mentioned at point (c), the petitioner was again convicted and was ordered to pay a fine. However, in the remaining cases, proceedings *qua* the petitioner are still pending.

Learned State counsel also fairly concedes that in the case mentioned at point (a), the petitioner has been acquitted.

6. In response to the submissions of learned counsel for the complainant and learned State counsel, learned counsel for the petitioner refers to pleadings taken in paragraph No.15 and submits that an amount of Rs.11,56,000/- was returned to the petitioner by the private respondents/victims during the period from 02.04.2024 to 20.08.2024, as the



said amount had earlier been transferred by the petitioner into their bank accounts through RTGS.

7. I have considered the submissions addressed by learned counsel for the parties and have also gone through the pleadings taken in paragraph No.15 of the petition along with the tabulated explanation given therein. No response has been filed by the private respondents.

8. On being asked by the Court, it has been clarified that the said amount was paid to the petitioner on account of some other transactions and not on account of any alleged pressure or threat for extortion.

9. Considering the submissions and the response given by learned counsel for the parties, this Court is *prima facie* of the view that there are multiple transactions between both sides.

However, authenticity of the allegations would require leading of evidence before the trial Court, and merely on the basis of assertions/assumptions, the petitioner should not be subjected to custodial interrogation, particularly when it is evident that monetary transactions had taken place between the parties on multiple occasions prior to registration of the FIR.

10 Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 20.11.2025, passed by this Court is hereby made **absolute**.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

11. Accordingly, petition stands **disposed of**, accordingly.



12. However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 23, 2026
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No