



109

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

CRM-M No.68104 of 2025

Date of Decision: 09.03.2026

Paramvir

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ajay Pal Singh, Advocate for
Mr. C. R. Dahiya, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Baljeet Beniwal, Advocate
for the complainant.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.742, dated 22.11.2023, under Sections 406, 420, 467, 468, 471 and 120-B of IPC, registered at Police Station City Ballabgarh, District Faridabad.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mandhir Maan, s/o Rattan Singh Mann. It was alleged that Paramvir (petitioner), Rajesh Gupta and Ranvir were involved in selling of properties and swindling money by preparing agreement with forged



documents. Rajesh and Ranvir were working as property dealers and told the complainant that H. No.85, Sector 29, measuring 250 sq. Yards was for sale and Paramvir, i.e. the petitioner was the owner of the same. Rajesh Gupta and Ranvir got fixed the meeting of the complainant with Paramvir (petitioner) and the deal was done for an amount of Rs.1 Crore. The agreement to sell was executed on 23.11.2021 in the presence of co-accused, namely, Rajesh Gupta and Ranvir. It was alleged that Earnest money of Rs.20,00,000/- was paid and thereafter, on 01.02.2022, an amount of Rs.10,00,000/- was paid. Balance amount was to be paid at the time of registration of sale deed. Rajesh Gupta and Ranvir put their signatures on the agreement as the witnesses in the presence of notary. Later on, the complainant realized that Paramvir (petitioner) was avoiding to execute the registered sale deed and took money at the instance of Rajesh Gupta and Ranvir. They were not disclosing the reasons for not getting the sale deed registered. Thus, the complainant got suspicious and, therefore, inquired about the property from HUDA and then, it was transpired that the property was neither in the name of Paramvir nor any document was there in respect of ownership of the said property. The complainant informed Rajesh Gupta and Ranvir about the alleged fraud as committed with him but they started putting off the matter and avoided to meet him. When the complainant demanded back the amount of Rs.30,00,000/- given to them, they started to threaten him. Thus, the complainant found that he was cheated by all the accused and, thus, request was made to take legal action against them. On the basis of



the complaint, the FIR was registered. On registration of the FIR, the investigation commenced. Apprehending his arrest, the petitioner approached the Court of learned Additional District & Sessions Judge, Faridabad praying for the grant of anticipatory bail. However, after hearing both the sides and finding no merit in the same, the learned Additional District & Sessions Judge, Faridabad declined the bail application filed by the petitioner vide order dated 20.11.2025. Hence being aggrieved, the petitioner is before this Court praying for the grant of anticipatory bail by way of filing the present petition.

3. This Court vide order dated 04.12.2025, on the submission made by learned counsel for the petitioner that the petitioner is ready to execute the sale deed, no coercive action was ordered to be taken against the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that admittedly, the case is purely of a civil nature. He has further submitted that there is no evidence against the petitioner which connects him in the alleged offence. He has submitted that till today, the petitioner is the owner in possession of the property in question and he is fully competent and legally authorized to execute any agreement in respect of the said property. He has further submitted that there was an unexplained delay of about 02 years in lodging the present FIR. He has further submitted that no prima facie case, as alleged against the



petitioner is made out and thus, the petitioner deserves to be granted anticipatory bail.

5. Short reply dated 24.02.2026 by way of an affidavit of Narender Kumar, HPS, Assistant Commissioner of Police, Economic Offences Wing, Faridabad on behalf of the respondent-State has already been filed by the learned State counsel in the Court, which is taken on record.

6. Learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner was specifically named in the FIR and he was very much involved in the offence. He has further submitted that the petitioner has committed the fraud and cheated the complainant. He has submitted that the petitioner is a habitual offender, who has already entered into multiple agreements with 5-6 other persons. He has further submitted that during the investigation, it was found that co-accused, namely, Sharwan Kumar and the petitioner colluded to sell the property in question to several individuals and have obtained substantial money from numerous individuals through dishonesty, fraud and forgery. He has further submitted that the petitioner entered into an agreement to sell the plot in dispute for an amount of Rs.1 Crore on 25.01.2022 with Mohan Lal and accordingly, received an amount of Rs.25 Lakhs from him. He has further submitted that the petitioner had illegally executed a general power of attorney dated 16.12.2021 for the plot in dispute in the name of Chander Kant. The petitioner had entered into an agreement to sell the



plot in question for Rs.1 Crore on 12.09.2020 with Lal Babu Yadav and had received an amount of Rs.22 lakhs from him. He has submitted that a civil case is pending before the learned trial Court, Faridabad on the said plot in question, titled as 'Suresh Chand Gupta vs. Sharwan Kumar and others' bearing CS-2956-2019, in which co-accused, Sharwan Kumar was proceeded ex-parte vide order dated 04.10.2019 and the case is now fixed before the learned trial Court for 18.03.2026. He has further submitted that the challan against co-accused, namely, Sharwan Kumar, Rajeev Kumar, Rajesh Gupta, Ranbir Singh and Jeetram had already been submitted on 30.01.2026. He has submitted that in all there are total 06 accused persons in the present case and 05 accused are in custody. He has further submitted that the petitioner has misused the concession of interim protection already granted to him vide order dated 04.12.2025 on the submission made by learned counsel for the petitioner that the petitioner is ready to execute the sale deed. He has submitted that the investigation is at threshold and thus, no case for the grant of anticipatory bail to the petitioner is made out and the present petition deserves to be dismissed.

7. Learned counsel for the complainant however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner along with other co-accused had committed a grave offence, wherein they cheated the complainant. He has submitted that the allegations made against the petitioner are serious in nature. He has thus submitted that no case for the grant of anticipatory bail to the



petitioner is made out and thus the present petition deserves to be dismissed.

8. Heard.

9. Perusal of the record would show that on the submission made by learned counsel for the petitioner that the petitioner is ready to execute the sale deed, no coercive action was ordered to be taken against the petitioner vide order dated 04.12.2025 but the petitioner has misused the same.

10. After hearing learned counsel for the parties and perused the record, it is deciphered that the petitioner was specifically named in the FIR and he was very much involved in the offence. The complainant was duped by the petitioner on the pretext of execution of sale deed. The petitioner committed the fraud and cheated the complainant for an amount of Rs.30,00,000/-. During the investigation, it has been found that co-accused, namely, Sharwan Kumar and the petitioner colluded to sell the property in question to several individuals and have obtained substantial money from numerous individuals through dishonesty, fraud and forgery. A civil case is already pending before the learned trial Court, Faridabad on the abovesaid plot in question, which is now fixed before the learned trial Court for 18.03.2026. In all there are total 06 accused persons in the present case, out of which 05 accused are already in custody, except the petitioner. The allegations against the petitioner are serious in nature. Learned counsel for the petitioner failed to convince the Court regarding the failure of the mediation as undertaken before this



Court. 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 execute the sale deed but the same has been misused.

11. 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.'

12. 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."*

13. 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



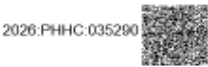
anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by 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."



14. 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.*”

15. 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. Needless to say, the investigation is at threshold 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.



16. 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.

(RAJESH BHARDWAJ)
JUDGE

09.03.2026

<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No