



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109+210

CRM-M-69065 of 2025 (O&M)
Date of Decision: 11.02.2026

NARENDER @ MONU

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, Sr. DAG, Haryana.

Mr. Tapan Kumar, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner in FIR No.340, dated 06.10.2025, under Sections 308(4), 351(3) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Pataudi, District Gurugram.
2. Brief facts of the present case are that, threatening calls were made to the complainant at the behest of the petitioner by the co-accused and demand of ₹1 Crore extortion was raised. Hence, the present FIR was



registered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the petitioner is engaged in the business of construction and supply of building material. Learned counsel further submits that the dispute in question is purely of a civil and monetary nature, which has been given a criminal colour by the complainant with ulterior motives. It is submitted that the true facts are that, at the request of the complainant, the petitioner invested a sum of ₹1 crore in his business. Out of the said amount, ₹45 lakhs were transferred through various banking transactions, while the remaining amount was paid in cash. However, the business did not proceed as expected, and disputes arose due to non-generation of profits. Learned counsel submits that, upon the petitioner's insistence, the complainant refunded a partial amount of ₹32 lakhs through bank transfers on different dates, but failed to refund the remaining balance of ₹68 lakhs. Aggrieved thereby, the petitioner approached the CM Window seeking legal action against the complainant. It is only thereafter that the present false FIR has been lodged, with the sole intention of exerting pressure upon the petitioner to withdraw the complaint filed against the complainant. It is further submitted that the offence of attempt to extortion is not made out in the present case, as the dispute pertains solely to a financial disagreement between the parties. Learned counsel submits that the petitioner has neither made any call to the complainant, nor is the mobile number from which the alleged calls were made registered in the name of the petitioner. Learned counsel submits that the petitioner is



ready and willing to join the investigation as and when called upon by the investigating agency. Hence, he prays that the present petition deserves to be allowed.

4. Learned counsel for the State has filed the status report and has opposed the prayer made by the petitioner for grant of bail. Referring to the status report, learned State counsel submits that the offence committed by the petitioner is serious in nature and he is specifically named in the FIR. It is contended that the petitioner has played an active role in the commission of the alleged crime, and the allegations against him are specific and grave. It is further submitted that the petitioner attempted to extort a sum of ₹1 crore from the complainant on the pretext of having secured liquor vend contracts by making intimidating calls to the complainant through co-accused Naksh (nephew of petitioner) and Jaggu, while projecting themselves as associates of a dreaded gangster. To lend force to his argument he has relied upon Annexure R-6 i.e. transcript of phone calls between complainant and co-accused, wherein the co-accused Naksh has been demanding money at the behest of his uncle (present petitioner). Learned State counsel submits that during the course of investigation, verification of the mobile numbers from which the complainant received the alleged extortion calls was conducted and it transpired that one of the mobile numbers was registered in the name of one Sanjay, who happens to be the uncle of the petitioner. It is further submitted that an SIT has already been constituted in the present FIR and custodial interrogation of the petitioner is necessary to uncover the modus operandi adopted by the accused persons, to effect the arrest of the co-



accused who are still at large, to ascertain the complete chain of persons involved, the motive behind the demand of ₹1 Crore and the petitioner's association with individuals linked to the gangsters. In view of the above, learned State counsel prays that the present petition be dismissed.

5. Learned Counsel for the complainant adopts the submissions made by the learned state counsel and submits that the petitioner is not a mere contributor but the main architect of the crime, and does not deserve any concession from this Court. Hence, he prays that the present petition be dismissed.

6. Heard.

7. In the present case, the allegations against the petitioner are specific and grave in nature, involving an attempt to extort a substantial amount of ₹1 crore by creating fear through calls allegedly made in association with co-accused projecting links with a dreaded gangster, which is further fortified by the transcripts relied upon the learned State counsel. The investigation is stated to be in progress in the broader context, as a Special Investigation Team has been constituted, and the custodial interrogation of the petitioner is necessary to unearth the modus operandi, ascertain the complete chain of persons involved and the linkages of the petitioner with gangsters. This Court is sanguine of the fact that while considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. The prosecution has sought custodial interrogation of the



petitioner to unearth the complete modus operandi, to apprehend the co-accused who are still absconding, and to complete the investigation. Granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable 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 information 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."

9. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

10. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

11.02.2026
Puneet...

(RUPINDERJIT CHAHAL)
JUDGE

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