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

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CRM-M-70105-2025 (O&M)
Date of decision: 04.02.2026

Rinku Saini @ Jaswant Saini

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arun Chander Sharma, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 292 dated 12.11.2025, registered under Sections 120-B, 406 and 420 of IPC at Police Station Sector 17, HUDA, Jagadhri, District Yamuna Nagar.

2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Anil Bansal making allegations of being duped of a sum of Rs.66 Lakhs at the hands of the petitioner and co-accused on the premise of earning huge profits by selling a medicine named 'Sehat, which was claimed to be having properties to cure cancer disease. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for

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grant of anticipatory bail, which has been dismissed by the Court of learned Additional Sessions Judge, Yamuna Nagar, vide order dated 05.12.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of about six years in lodging of the FIR. No specific role has been attributed to the petitioner. There is no document on record to prove that the complainant had given any money to the petitioner or to the co-accused. Rather, he himself has claimed that an affidavit was sworn by him. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of anticipatory bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioner as he along with co-accused has caused wrongful loss of a huge amount of money to the complainant on the pretext of selling a fake cancer curing medicine to him, introduced him with fraudulent schemes, forced him to execute a false affidavit and also obtained blank signed cheques and stamp papers. The petitioner was present with the co-accused when the money was handed over to them. The petitioner has played an active role in commission of subject crime. For conducting thorough investigation in the matter, his custodial interrogation is must. He has criminal antecedents as he has been involved in several other cases of similar nature and even has been declared a proclaimed person in one of those cases. No exceptional or extraordinary circumstance has been made out in his favour for grant of anticipatory bail. It is, thus, argued that the petition is liable to be dismissed.

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5. This Court has heard the rival submissions.
6. The petitioner in connivance with co-accused is alleged to have cheated the complainant by extracting an amount of Rs.66 Lakhs from him on the pretext of selling some fake cancer curing medicine and also by procuring his signatures on some blank cheques and stamp papers. His antecedents are not clean as he is involved in four other cases of similar nature. The allegations prima facie make out a case for commission of offence of cheating on the part of the petitioner. His custodial interrogation is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary

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remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

04.02.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No