



CRM-M-70676-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-70676-2025
Decided on: 17.03.2026

Kushagar Ansal.....Petitioner

Versus

State of Haryana.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Brijender Kaushaik, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Tapan Kumar, Advocate for the complainant.

SANJAY VASHISTH, J.

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 petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Kushagar Ansal	66	21.02.2024	406, 420, 120B IPC and Section 3 of HPIDEF Act, 2013	Model Town	Rewari, Haryana

2. After hearing learned counsel for the petitioner on 15.12.2025 following was recorded:

“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 petitioner, who has been booked in a



criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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2. On oral request of learned counsel for the petitioner, complainant-Laxmi Devi w/o Madan Lal, r/o Village Motla Khurd, Jatusana, Rewari, Haryana, Mobile No. 7291091209, is implead as party-respondent No.2.

Let amended memo of parties be filed in the Registry within three days from today, without moving any separate application.

3. Learned counsel for the petitioner argued that, in fact, complainant–respondent No. 2 had paid an amount of ₹2,92,000/- in two different instalments in the year 2009 for investment in a future project. At the time of making the deposit, it was clearly stipulated that if the project was not completed, the amount invested would be returned along with simple interest at the rate of 9%, as specified in clause ‘e’ of the investment receipt/agreement.

However, project could not be raised due to technical reasons. Consequently, in the year 2023, petitioner agreed to repay an amount of ₹6,36,000/- to respondent No. 2. Despite the same, respondent No. 2 refused to accept the amount and instead chose to lodge the impugned FIR against the petitioner.

4. It is submitted that the dispute is primarily of a civil nature. Had there been any criminal intent or element of cheating on the part of the petitioner, there would have been no occasion to offer repayment of a reasonable amount along with interest. Accordingly, learned counsel prays for the grant of anticipatory bail to the petitioner.

5. Notice of motion.



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On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana puts in appearance on behalf of the respondent – State. He seeks some time to file reply.

Respondent No. 2 be served through the SHO of the concerned area.

6. *Adjourned to 24.02.2026*

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

8. *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.”

3. Continuing his submissions, learned counsel for the petitioner submits that, in fact, there were a total of 13 investors, out of whom the claims of 11 investors have already been satisfied by the petitioner. The said fact has also been confirmed by the learned State counsel today before this Court on instructions from PSI Rajesh Kumar.

As regards the remaining claim, learned counsel submits that the petitioner has already placed his submissions on record in the order dated 05.12.2025.

4. Mr. Brijender Kaushik, Advocate, further submits that in compliance with the order dated 15.12.2025 passed by this Court, the

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petitioner has joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

5. Learned State counsel, on instructions, submits that in pursuance of the directions issued by this Court, the petitioner joined the investigation after being directed to do so on 05.03.2026 and, as of now, his custodial interrogation is not required.

6. A written request for adjournment has been moved on behalf of learned counsel for the complainant. Same is declined.

7. I have heard learned counsel for the parties and perused the paper-book.

8. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 15.12.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

It is made clear that 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.

9. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.



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10. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.03.2026
Rashmi

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO