



CRM-M-73504-2025(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-73504-2025(O&M)
Decided on :05.03.2026

Subhash

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ashok Kumar Sharma, Advocate for the petitioner.
Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 482 of BNSS, seeking regular bail in case FIR No. 0138 dated 22.04.2024, under Section 420 and 406 IPC, registered at Police Station Civil Line Jind, District Jind.
2. After hearing learned counsel for the petitioner on 24.12.2025, 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



Subhash, aged about 45 years	0138	22.04.2024	420 and 406 IPC	Civil Lines	Jind
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2. On oral request made by counsel for the petitioner, complainant namely Ramphal, son of Risal Singh, resident of Khedi Masaliya, District Jind, is hereby ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be filed by counsel for the petitioner, within a period of two working days from today, in the Registry, without moving any separate application.

2. Learned counsel for the petitioner, inter alia, contends that as per the allegations, complainant purchased house No.1059-A, situated at Housing Board, Jind, from the co-accused, namely Somvati, for a total consideration of Rs.20 lakhs, vide sale deed dated 20.07.2020. Out of the said amount, a sum of Rs.14,70,000/- was paid by the complainant through cheque, while the remaining amount was paid in cash. It is further submitted that in the year 2024, complainant came to know that the house sold to him was already subject to an outstanding loan liability, which had been availed by the seller, namely Somvati, in the year 2018.

3. Learned counsel for the petitioner further contends that the main accused, namely Somvati, who is the wife of the present petitioner, Subhash, has already been granted the concession of anticipatory bail by the Court below, vide order dated 09.12.2025 (Annexure P-3). It is argued that present petitioner is not the owner of property in question and, therefore,



stands on a better footing than the main accused. Thus, petitioner is also entitled to the concession of anticipatory bail by this Court.

4. *Notice of motion.*

5. *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.*

6. *Adjourned to 03.02.2026.*

To be shown in the urgent list.

7. *Let newly added respondent No.2 be served through dasti process as well.*

8. *Meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.”*

3. CRM-9311-2026 has been moved on behalf of the petitioner for placing on record the account statement to show that the loan amount in respect of the house in question was taken by the petitioner’s wife, Somwati, in the year 2018, and despite selling the house to the complainant in the year 2020, as per the agreed terms, all future installments have been deposited by her in the bank till date.

4. Since all the facts were not detailed in the petition, learned counsel for the petitioner seeks withdrawal of the present petition with liberty to file a fresh petition containing correct and complete particulars, detailing all facts therein.



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5. Present petition is dismissed as withdrawn, with the liberty as sought and recorded above. However, arrest of the petitioner shall remain stayed only up to 13.03.2026.

(SANJAY VASHISTH)
JUDGE

05.03.2026
Rashmi

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