



CRM-M-74146-2025

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

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CRM-M-74146-2025

Decided on : 02.01.2026

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.....PETITIONER(S)

VERSUS

STATE OF U.T. CHANDIGARH

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajesh Bhateja, Advocate
for the petitioner(s).

Mr. Prateek Rathee, Addl. P.P., U.T., Chandigarh.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked Section 482 BNSS 2023 for grant of anticipatory bail to the petitioner in FIR No.128 dated 26.07.2023 (Annexure P-1), under sections 420 & 120-B IPC 1860 now under Sections 318(4) & 61(2) of BNS Act, 2023, P.S. Sector 17 Central, District Chandigarh.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has no involvement in the present offence and is earning his livelihood by serving as a mere Safai Sewadar. It is further submitted that the petitioner himself had already made various complaints (Annexure P-2 dated 17.10.2022 and 08.05.2023) to the SSP, Chandigarh, much prior to the registration of the instant FIR on 26.07.2023.

The perusal of these complaints would depict a warning to the authorities qua other accused persons namely Rajinder, Mrs. Sheetal, Ravinder (superintendent), Amit (Clerk), Narinder(Clerk) and Kuldeep (Diary & Dispatch), who are working in the Home Department, Sector 9, Chandigarh and the petitioner had categorically made allegations against Rajinder Kumar co-accused who has fraudulently cheated several persons on the pretext of arranging government jobs and allotment of house residential houses in the Housing Board. It is argued that the petitioner has not derived any pecuniary benefit and is completely innocent. Learned counsel undertakes, on behalf of the petitioner, that the petitioner is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

Mr. Prateek Rathee, Addl. P.P., U.T., Chandigarh, having been served with an advance copy, accepts notice on behalf of respondent/State. He could not controvert the receipt of above said complaints made by the petitioner regarding the allegations of fraud and cheating by Rajinder and other officials working in Home Department, U.T., Chandigarh, who allegedly take money on the pretext of giving jobs and allotment of houses for them in Housing Board, Chandigarh.

3. **Analysis**

Be that as it may, learned U.T. counsel has failed to produce any incriminating material before the Court showing role of the petitioner in the commission of the offence alleged. Even otherwise, the petitioner has undertaken in para 23 that he will join the investigation and co-operate with the Investigating Officer.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘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.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

02.01.2026

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Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No