



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

CRM-M-29-2026 (O&M)
DATE OF DECISION: 27.01.2026

SOURBHPetitioner
VERSUS
STATE OF HARYANARespondent

CORAM HON’BLE MR. JUSTICE SUBHAS MEHLA

Present Mr. Navjit Singh, Advocate
for the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. The present petition has been filed under Section 482 of BNSS seeking grant of anticipatory bail filed in case bearing FIR No.312 dated 24.07.2025 under Sections 316(2), 318(4), 336(3), 338 and 340 of BNS, 2023 registered at Police Station Chandimandir, Panchkula.
2. The allegations against the present petitioner are that the petitioner defrauded the complainant and one Sanjeev Kumar, father of Shivam and obtained a sum of Rs.6,00,000/- on the pretext of getting them jobs in Indian Railways on contract basis. Petitioner is alleged to have handed over forged and fabricated appointment letter in the name of Indian Railways to his co-accused namely, Sheetal who in turn handed over the same to the complainant and the father of Shivam.



3. Learned counsel for the petitioner contended that a compromise by way of an affidavit, has been effected with the complainant and has placed a copy of the same (Annexure P-2) in this regard; the petitioner has clean antecedents; he is willing to join and cooperate with the investigation.

4. Notice of motion.

5. On advance notice, Mr. Karan Veer Singh, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and by way of filing of reply dated 21.01.2026 submits that the present petitioner has provided the forged appointment letters to his co-accused namely, Sheetal and referring to the reply filed by the State, submitted that Rs.3,00,000/- has been found to be obtained by the present petitioner, as such, prays for dismissal of the present petition as custodial interrogation of the present petitioner is necessary so as to know the *modus operandi* of the petitioner regarding cheating unemployed persons on the pretext of providing them jobs in lieu of money.

6. Heard.

7. Without commenting on the merits of the case and keeping in view the allegations against the present petitioner, the contentions of learned counsel for the State; the gravity of the offence that the present petitioner is involved in a racket with other co-accused by cheating unemployed persons on the pretext of providing them jobs; the fact that the petitioner received an amount from the complainant and provided the co-accused with forged and fictitious appointment letters, who later on handed them over to the



complainant and Sanjeev Kumar, therefore, this Court does not find any merit to allow the present petition for grant of anticipatory bail to the petitioner.

7. Anticipatory bail is an extra-ordinary relief which can be granted only in exceptional cases deserving of the concession, and is to be granted sparingly, much less in serious offences as those alleged in the present case. Recently, Hon'ble Apex Court in **Srikant Upadhyay v. State of Bihar, 2024 INSC 202**, has made the following observation with regard to concession of Anticipatory Bail:-

“We have already held that the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule..... While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence.”

8. Moreover, custodial interrogation of the petitioner is necessary for effecting proper investigation, hence petitioners are not entitled for discretionary relief of anticipatory bail. In **“C.B.I. vs. Anil Sharma”, 1997(7) SCC 187**, the Hon'ble Supreme Court emphasized the importance of custodial interrogation by holding that many useful information and concealed materials may be elicited from a suspect in custody, than a suspect



who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

9. In view of aforesaid discussion, there is no merit in the present petitions; the same is hereby **dismissed**.

10. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

27.01.2026
Sonia Puri

(SUBHAS MEHLA)
JUDGE

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