



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M No.55837 of 2024 (O&M)
DATE OF DECISION : 9th JULY, 2025

Sudesh Nain

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

* * * * *

Present : Mr. Ankur Malik, Advocate for the petitioner.
Mr. Ashok S. Chaudhary, Addl. AG, Haryana.
Mr. Lovepreet Singh, Advocate for
Mr. Sanjeev Kodan, Advocate for the complainant.

* * * * *

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, 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:-

<i>Name of Petitioner</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Sudesh Nain</i>	<i>205</i>	<i>19.07.2024</i>	<i>406, 420, 120, 506-B IPC and 12 of Chit Fund Act, 1982</i>	<i>Sadar Pehowa</i>	<i>Kurukshetra</i>

2. In the present case, on 26.03.2025, following order was passed:-

“1. Prayer in the present petition under Section 482 of BNSS, 2023, is for grant of anticipatory bail to the petitioner in FIR No.205 dated 19.07.2024, under Sections 406, 420, 120, 506-B IPC and 12 of Chit Fund Act, 1982, registered at Police Station Sadar Pehowa, District Kurukshetra (Annexure P-2).



2. Counsel for the petitioner contends that some of the other co-accused namely Anil Kumar @ Anil Saini, Rajesh Gujjar @ Rajesh Kumar, Devanand and Pawan Kumar in CRM-M-56433-2024, CRM-M- 5513-2025, CRM-M-5572-2025 & CRM-M-5945-2025, respectively, have already been ordered to be released on regular bail by this Court. Therefore, petitioner, who is a woman, is seeking concession anticipatory bail.

3. Counsel submits that total amount involved as a subject matter is about 3 crores and as per admitted position in the case, an amount of Rs.1,75,00,000/-, has already been paid back to the victims/investors. And Said fact has already been recorded in the orders granting regular bail to the other referred accused.

4. Till next date of hearing, arrest of the petitioner shall remain stayed.

5. Question of joining investigation would be examined after having stand of the prosecution agency.

6. Learned State counsel would firstly seek instructions as to how much amount has been credited to the account of the petitioner.

7. In case, any amount is found credited in her account, whether same is transferred in the account of the company or somewhere else, who can be claimed as actual beneficiary.

8. All the details be furnished by way of an affidavit of the investigating officer.



List again on 24.04.2025.”

3. Again on 24.04.2025 following order was passed:

“1. Learned State counsel has filed affidavit of Babir Singh SI EOW Cell, Member of SIT Kurukshetra on behalf of respondent No.1, in the Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

2. By referring to the statement of bank account (Annexure P-7), learned counsel for the petitioner submits that lakhs of rupees has been invested by the petitioner herself for earning incentive and said fact can be verified from the account statements showing deposit/crediting of the amount in the account of Sohan Singh, who is Managing Director of Bitfix Company.

3. List on 09.07.2025.

4. Interim order dated 26.03.2025 to continue till the next date of hearing.”

4. Continuing his submissions learned counsel for the petitioner argues that more than ₹10,00,000/- has been invested by the petitioner herself along with her husband. No one would make investment in lacs of rupees to allure the outside people. Moreover, the allegation of the prosecution would require its proving through the documentary evidence and for the aforesaid purpose the custodial interrogation of the petitioner is not serve any meaningful purpose. The counsel further contends that the petitioner is inclined to join investigation, if the petitioner is protected against her arrest. Thus, it is



prayed that the interim protection earlier granted by this court be confirmed and the petition for anticipatory bail be allowed.

5. On the other hand, learned Additional Advocate General, Haryana submits that at this stage he is not in a position to dispute the factum of deposit of amount by the petitioner, as contended before this court. However, the same might have been done to attract the people of the society to make huge investment and then to defraud them. Therefore, the act of the petitioner is not beyond doubt regarding her participation in committing the crime.

6. I have considered the submissions and noticed the relevant facts for adjudicating the instant petition for anticipatory bail in which arrest of the petitioner has already been stayed by this court vide order dated 26.03.2025. Once, there is no specific denial or any specific stand regarding the deposit of investment made by the petitioner of more than ₹10,00,000/-, (as stated by Mr. Ankur Malik, Advocate), the petitioner is directed to join investigation within a period of two weeks from today or as and when called by the Investigating Officer for the said purpose. The interim order dated 26.03.2025 passed by this Court is hereby made absolute. Thus, present petition is allowed.

7. However, 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.

Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she



possesses. Otherwise, would submit an affidavit, disclosing the fact that she do not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

8. Accordingly, petition stands disposed of.

9th July, 2025
'raj'

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No