

CRM-M-26912-2025

[1]

2025.PHHC.103097



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

202

CRM-M-26912 of 2025  
Decided on : 08.08.2025

Sukhwinder Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Babneet Singh, Advocate,  
for the petitioner.

Mr. Raje Ram Kaushik, Advocate (through VC),  
for the complainant-Gurbachan Singh.

Mr. Amish Sharma, AAG, Haryana.

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**SANJAY VASHISTH, J.**

1. On the last date of hearing, following order was passed in this instant petition:-

*"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
Sukhwinder Singh, aged about 46 years	38	31.01.2025	406 and 420 of IPC	City Thanesar	Kurukshetra

*2. Learned counsel for the petitioner submits that, as per the allegations, petitioner allegedly induced the complainant to pay an amount of Rs.5,86,000/- for facilitating the immigration of his son Anmol and daughter Kajal to Canada. Despite receiving the said amount in cash, petitioner failed to fulfil his promise and is alleged to have cheated the complainant. Consequently, the complainant submitted a written complaint dated 27.11.2024, which led to registration of the present FIR on 31.01.2025.*



*3. It is further contended by the petitioner's counsel that a sum of Rs.2,64,000/- has already been transferred by the petitioner into the bank accounts of the complainant and his wife. The petitioner also undertakes to pay the remaining amount within a period of two months from today. Thus, he prays for grant of concession of anticipatory bail to the petitioner in the present case.*

*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.*

*6. Adjourned to 31.07.2025.*

*7. Till then, arrest of the petitioner shall remain stayed. However, issue of joining of investigation of the petitioner would be examined on the next date of hearing.”*

2. Learned counsel for the petitioner submits that to honour the undertaking given by him on the previous date of hearing before this Court, complete balance amount has been paid back to the complainant and nothing remains due as of now. Therefore, he submits that the petitioner is ready to join the investigation, if granted such opportunity and the petition be also allowed.

3. On the other hand, counsel appearing on behalf of complainant-Gurbachan Singh concedes that his client has received complete principal amount/cheque amount, however, nothing has been paid towards interest amount.

4. Proceeding in the instant petition is not meant to give effect to the recovery of the interest part also. Moreover, dispute appears to have been resolved on account of making payment towards the principal amount.

5. In view of this, there would not be any necessity that the petitioner be subjected to custodial interrogation and therefore, the instant petition is allowed.



6. The petitioner is directed to join investigation in two weeks from today or as and when called by the Investigating Agency and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Sections 482(2) of BNSS, 2023 [earlier Section 438(2)].

7. Besides, it is directed that the 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.

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

7. Accordingly, the instant petition stands disposed of, so also the pending application(s), if any.

**(SANJAY VASHISTH)  
JUDGE**

**08.08.2025**  
Sumit Gusain

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