

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13776-2025
Reserved on: 07.04.2025
Pronounced on: 21.04.2025

Anvar Husain

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kshitiz Goel, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
57	21.05.2021	Alewa, District Jind	420 IPC (Sections 406 IPC and 66-D of IT Act added later on)

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 20 of the bail petition, the accused declares that he has no criminal antecedents.

3. The facts and allegations are taken from the status report filed by the State, which reads as follows:

“2. That the brief facts of the case are that a case FIR No.57 dated 21.05.2021 u/s 420 IPC was registered at Police Station Alewa, District Jind on the complaint of Monu Sharma inter-alia on the allegations that the complainant has bank account in Axis Bank bearing No. 9150100xxxxx. On 20.05.2021, at about 10:00 am, he received a call from mobile number 919582xxxxx on his mobile number 86070xxxxx regarding delivery of one parcel containing two watches, one laptop, one phone, two gold chains and \$ 50,000 and asked him to deposit Rs.1,10,000/ in bank account bearing No. 92001007Xxxxx of Axis Bank, IFSC code UTIB0003557 and PAN card No.EQYPS4390K, new branch Delhi in the name of Atul Singh, pursuant to which he paid Rs.25,000/ online and remaining Rs.85,000/ through his bank account in the said account of Atul Singh. Again at about 03.00 pm he received a call for transferring

Rs.50,000/- as tax after which he would receive the said parcel, however, he said that he would confirm the same from Delhi Airport and then he would transfer the said tax amount. On 20.05.2021 went to bank and inquired about the bank account of Atul where he got the information that fraud had been committed against him. Prayer was made for taking legal action against the accused.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.
5. The State’s counsel opposes bail and refers to the status report.
6. It would be appropriate to refer to the following portions of the status report, which read as follows:

“15. That regarding role /complicity of the petitioner is concerned, it is submitted that the allegations against the petitioner-accused are serious in nature. The petitioner is not by named accused in this case and his name has been appeared from the disclosure statement of co-accused Atul. The allegations levelled against the petitioner-accused are that the petitioner-accused alongwith co-accused cheated the complainant by inducing him to transfer Rs.1,10,000/- in the Bank account of Atul on the pretext of delivery of a parcel. Custodial interrogation of petitioner-accused is necessary to unearth the true facts in the present matter as well as to effect the recovery of alleged cash amount, pass book, ATM card and information about co-accused and other cases in which they are involved. Therefore, considering the role played by the petitioner-accused and the nature and gravity of offences allegedly committed by the petitioner-accused, he is not entitled for grant of anticipatory bail. Without custodial interrogation of the petitioner-accused, the investigation cannot be conducted effectively.”

REASONING:

7. The allegations against the petitioner are that he alongwith co-accused cheated the complainant by inducing him to transfer Rs.1,10,000/- in the bank account of Atul on the pretext of delivery of a parcel. Recovery of alleged cash amount, pass book and ATM card etc. are to be effected, as such, the petitioner is not entitled to bail.
8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner’s involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will

CRM-M-13776-2025

likely prejudice the petitioner; this court refrains from doing so.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. **Petition dismissed.** Interim order dated 12.03.2025 is recalled with immediate effect. All pending applications, if any, are disposed of.

**(ANOOP CHITKARA)
JUDGE**

21.04.2025

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.