



S. No.101

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

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**CRM-M-51486 of 2025  
Date of Decision:15.09.2025**

**Rajeev Kaushik**

**.....Petitioner**

**Vs.**

**State of Haryana**

**.....Respondent**

**CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present:- Mr. V.P. Sangwan, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

Mr. Baljinder Singh, Advocate for the complainant.

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**Yashvir Singh Rathor, J. (Oral)**

1. This is a petition filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.0280 dated 21.08.2025 registered under Sections 406, 420 IPC at Police Station City Mandi Dabwali, District Dabwali.

2. The present case was registered on the basis of complaint given to the Police by Vikramjeet Singh with the allegations that Rajeev Kaushik, Advocate is an Itmam/ Manager of Mandir Kaladhari Murti Thakurdas Ji, which owns 59 kanals 04 marlas of land and said Rajeev Kaushik executed an agreement to sell the land in his favour vide agreement dated 18.12.2023 for a total consideration of Rs.92,44,000/- and the amount was transferred in the personal account of Rajeev Kaushik. Said Rajeev Kaushik also paid some amounts to the tenants, who were in possession of the said land and obtained their affidavits and got the khasra



girdawari entries corrected in his favour. However, thereafter, he kept on delaying the execution of the sale deed and later on, he enquired and came to know that Rajeev Kaushik is not the owner of the land and he has got no authority to execute the sale deed and said Rajeev Kaushik thus cheated him and obtained the sale consideration amount in his own personal account and he sought action against him.

3. Upon notice, learned State Counsel as well as counsel for the complainant have appeared and power of attorney has been filed on behalf of the complainant and the same is taken on record. Both the parties have been heard and the material placed on file has been perused.

4. Learned counsel for the petitioner argued that the petitioner has been falsely implicated. He never misled the complainant or induced him to deliver any money. No false representation was made and even in the agreement, it has been specifically mentioned that the petitioner is Itmam/ Manager of the said temple and complainant knew from the very beginning that he is not the owner and despite that, he had agreed to purchase the land and no offence under Section 420 IPC is thus made out. Petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and he may be released on anticipatory bail.

5. On the other hand, learned State Counsel assisted by counsel for the complainant has opposed the bail and argued that the petitioner had made a false representation at the time of execution of the agreement that there is no hindrance in sale of the land and he has been authorised to sell the land and enter into an agreement for extension of the temple but he did not have any such authority and he induced the complainant to deliver him huge sum of Rs.92,44,000/- at the time



of execution of the agreement and thereafter, he did not execute the sale deed. Learned counsel contended that the sale consideration was also got deposited in his own personal account by the accused which shows his fraudulent intention from the very beginning and his custodial interrogation is essential and in view of gravity of offence, he does not deserve concession of anticipatory bail.

6. In the agreement to sell, which has been placed on file, there is a specific recital that petitioner is an Itmam/ Manager of the temple and there is no legal impediment in the sale of the land but it has also been mentioned that the petitioner has got the authority to sell the entire land owned by the temple for extension of the temple and thereafter, he executed the agreement and got transferred a sum of Rs.92,44,000/- in his personal account instead of getting the same transferred in the account of the temple. However, petitioner has not been able to produce any such authority letter which authorised or empowered him to sell the land owned by the temple and false inducement or representation was thus made at the time of execution of the agreement to sell and complainant has been cheated of a huge sum of money which was also got transferred in the own personal account by the petitioner. The allegations against the petitioner are thus serious in nature. The custodial interrogation of the petitioner is essential for proper and further investigation of the case. It is well settled that custodial interrogation is more elicitation oriented since a person who is couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his or her knowledge which would be inculpatory for him/her. In case, the petitioner is interrogated under the protective umbrella of order of ad-interim bail, he is not likely to answer the questions in right earnest. Moreover, it has been held by Hon'ble Supreme Court in **2003(4) RCR (Criminal) 716 Bharat Chaudhri**



**and others v. State of Bihar and another** that gravity of the offence is an important factor to be taken into consideration while granting anticipatory bail so also the need for custodial interrogation. Even otherwise, anticipatory bail cannot be granted in each and every case where custodial interrogation is not required as the gravity of the offence too is an important factor which has to be taken into consideration while granting or not granting anticipatory bail. Learned trial Court has also, thus, rightly rejected the bail after taking into consideration the relevant factors.

7. Resultantly, I am of the considered opinion that the petitioner does not deserve the concession of anticipatory bail and the petition in hand is ordered to be dismissed.

8. Pending misc. application(s), if any, shall also stand disposed of.

**(Yashvir Singh Rathor)**  
**Judge**

**September 15, 2025**  
**renu**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No