

2025:PHHC:062239



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

212

**CRM-M-61587-2024**

**Date of decision: May 12, 2025**

RAJ KUMAR SONI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Naman Jain, Advocate (through VC)  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Amritpal Singh Gill, Advocate  
for the complainant.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The instant petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.237 dated 08.11.2024 under Sections 406, 420 of the Indian Penal Code, 1860, registered at Police Station City-1, Abohar.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, which pertains to an alleged failure to make payment in respect of certain gold transactions. It is contended that the dispute in question is purely civil in nature and arises from business dealings between family members. While drawing the attention of this Court to the FIR (Annexure P-1), it has been further argued that a perusal of the allegations reveals no element of inducement, dishonest intention and deception or entrustment - each of which constitutes *sine qua non* for the offences punishable under Section 406 and 420 of the IPC.



3. It has also been submitted by the learned counsel for the petitioner that the FIR appears to have been registered at the instance of a third party, who is not privy to the transactions in question, and only after the complainant's earlier complaint dated 30.12.2023, failed to result in the registration of an FIR.

4. It has been further submitted by learned counsel for the petitioner that in compliance of order dated 08.01.2025, the petitioner has joined investigation and fully cooperated with the investigating agency. It has also been submitted that the complete account statements and the relevant documents in support of his version, have already been handed over to the investigating agency.

5. Learned State counsel, on instructions, has not disputed the submissions made by the counsel opposite of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 08.01.2025, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

**May 12, 2025**

*Jaspreet Kaur*

*Whether speaking/reasoned*

*Whether reportable*

**(MANJARI NEHRU KAUL)**

**JUDGE**

: *Yes/No*

: *Yes/No*