



CRM-M-28588-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-28588-2025
Decided on: 06.08.2025

SURJEET SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Brajesh Jha, Advocate,
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J.

1. On 22.05.2025, following order was passed:-

“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:-

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Surjeet Singh, aged about 33 years</i>	<i>195</i>	<i>08.10.2024</i>	<i>318(4), 61(2), 241, 338, 336(3), 340(2) of BNS</i>	<i>Cyber Manesar GGM</i>	<i>Gurugram</i>

2. Learned counsel for the petitioner, inter alia, contends that even if the allegations are taken at face value, complainant was allegedly duped of an amount of Rs.43,000/-, which he had transferred in response to a promise made on an Instagram account, offering an iPhone 15 at discounted rates.

3. Upon receiving the complaint from the complainant, namely Prahlad Matre, the investigation was set in motion. During the course of investigation, the individuals from whose account the offer had been made and who failed to fulfill the promise of delivering the iPhone 15, namely Anupam Banerjee, Amit Lavania, and Nitish, were arrested.

It is further submitted that since accused Amit Lavania had already been arrested, a



compromise was subsequently arrived at between the complainant, namely Prahlad Matre, and wife of the accused Amit Lavania.

4. *Pursuant to a compromise between the parties, the entire defrauded amount of Rs. 43,000/- was returned to the complainant, as a result of which co-accused Amit Lavania was released on bail. The other two accused, namely Nitish and Anupam Banerjee, have also been granted regular bail.*

It is further submitted that no specific allegation now remains against the present petitioner. At best, the prosecution alleges that the said amount of Rs.43,000/- was transferred by co-accused Amit Lavania through a PhonePe account.

5. *Counsel for the petitioner also contends that even if the prosecution's case is accepted at face value, no offence can be attributed to the petitioner. Since the claim stands satisfied and no further grievance remains, petitioner cannot be held liable for any offence. Thus, counsel prays for the concession of anticipatory bail to the petitioner in the present case.*

6. *Notice of motion.*

7. *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 in the matter.*

8. *Adjourned to 06.08.2025.*

9. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim 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 Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that 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.*

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

3. Learned counsel for the petitioner contends that in compliance of the order dated 22.05.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.



4. Learned State counsel, on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and custodial interrogation is no more required, present petition is allowed and ad-interim order dated 22.05.2025, passed by this Court is hereby made absolute.

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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

06.08.2025

Lavisha

Whether Speaking/Reasoned: YES/NO

Whether Reportable: ~~YES~~/NO