

CRM-M-29467-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29467-2025
Reserved on: 03.09.2025
Pronounced on: 30.09.2025

Kuldeep @ Kuldeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Manita Dalla, Advocate for
Mr. P.S. Chauhan, Advocate
for the petitioner.

Dr. Jasmine Gill, AAG, Haryana.

Mr. Rahul Sangwan, Advocate
for respondents No.2 to 8.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
202	26.08.2016	Kosli, District Rewari	406, 420 IPC (Sections 467, 468, 471, 506 & 120B IPC added later on)

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC/482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail second time.

2. Per paragraph 24 of the bail petition as well as para 5(H) of the status report, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	399	2015	420 IPC	BHD Delhi

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

“That as per prosecution on dated 26.08.2016, a complaint bearing no. 1286-PSP dated 24.08.2016, moved by Deputy Parshad was received in the police station with the contention that on 05.11.2024, Gaurav son of Daulat approached the complainant that he will get appointed the son of the complainant, namely

CRM-M-29467-2025

Anangpal, as 'TC' in Railway and raised a demand of Rs. 12,00,000/-. It was further alleged that on his assurance, the complainant sent an amount of Rs. 12,23,900/- on various dates in various accounts, but the same were misappropriated by the accused. At last he also prayed for taking legal action against the accused persons.

ii. On the basis of the complaint, a case under section 406/420 of Indian Penal Code, 1860 was registered in police station Kosli. The matter was investigated by the police and during investigation statement of witness was recorded, statement of bank account was also obtained and same be taken into police possession. During investigation, it was found that the identity cards, which were presented by the complainant, were fake and therefore, a case for commission of offence punishable under Sections 467, 468 and 471 of Indian Penal Code was added. Thereafter, it was found that no medical was found to have taken place at Railway Hospital, Kolkatta.

iii. On dated 22.02.2017, son of the complainant namely Anangpal got recorded his statement to the effect that Pankaj Gupta, Rahul Gupta, Sandeep Sithana, Namon Narayan @ AK Singh, R.K. Rana, Kuldeep Singh (present petitioner) and Manish Bhatiya are involved in duping him and his father for an amount of Rs. 12,23,900/- on account of his appointment in Railway.

iv. That during investigation on dated 09.03.2017, accused Sandeep and Namon Narayan were arrested and interrogated, who disclosed that Pankaj Gupta used to pay them Rs. 5,000/-for every forged 'ID' card and that 'ID' of Anangpal was prepared by Sandeep and joining letter was provided by Namon Narayan. It was also found during investigation that fake training centre was being run at Masa Gram, Kolkatta, after completion of interrogation accused were produced before the Ld. Illaqa Magistrate from where they sent to judicial custody.

v. That upon completion of the investigation of the case against Sandeep Sidhana @ Choti, Namonarayan @ A.K. Narayan, the final report as envisaged under section 173 Cr.P.C. was submitted in the court of competent court of law on 06.05.2017.

vi. On dated 08.06.2017, during investigation conducted by D.S.P. Anil Kumar, Gaurav, Garima and Daulat were found to be innocent. It was further found that Gaurav, Garima and Daulat did not receive any amount from the complainant or his son and Gaurav Kumar himself was duped of Rs. 8,00,000/- by Pankaj Gupta and his associates.

vii. That on dated 25.08.2017 during investigation, co-accused Rahul Kumar was

CRM-M-29467-2025

arrested and interrogated, who suffered his disclosure statement and admitted his involvement in commission of present crime, and after completion of investigation accused was produced before the Ld. Illaqa Magistrate from where he was sent to judicial custody.

viii. On dated 30.09.2017, during investigation conducted by D.S.P. Anil Kumar, accused Manish Bhatia was found to be innocent. It was further found that accused Manish Bhatia did not receive any amount from the complainant or his son.

ix. That upon completion of the investigation qua co-accused Rahul the final report as envisaged under section 173(8) Cr.P.C. was submitted in the court of competent court of law on 18.10.2017.

x. That thereafter proclamation proceeding against accused Pankaj Gupta and Kuldeep @ Kuldeep Kumar was initiated by Ld. Illaqa Magistrate, and were got declared proclaimed person from the Court vide order dated 23.10.2018. However, no FIR qua proclaimed person has been registered separately and now proclamation order against Kuldeep @ Kuldeep Kumar (present petitioner) has been stayed by the co-ordinate Bench of the Hon'ble court.

xi. That thereafter on dated 08.04.2021, co-accused Pankaj Gupta was arrested and interrogated, and he also suffered his disclosure statement and admitted his involvement in commission of present crime, and after completion of interrogation accused was produced before the Ld. Illaqa Magistrate, from where he was sent to judicial custody and after completion of investigation qua accused Pankaj Gupta, on dated 17.05.2021 supplementary challan has been submitted before the Ld. Illaqa Magistrate.”

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 their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel opposes bail and refers to the reply.

6. Counsel for the complainant submits that matter stands compromised

CRM-M-29467-2025

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“The evidence based on which the petitioner was arraigned as an accused.:-

Answer:- Name of petitioner has been comes in the statement of son of complainant namely Anangpal

F. The Evidence against the Petitioner. :-

Answer:- Statement of witness, discloser statement of co-accused, Bank account statement

G. The role of the petitioner:-

Answer:- Applicant/accused is part of a racket, which is being run for duping the people of their hard-earned money on account of getting employment for them and not only this, but also, the racket runs in such a manner that they issue fake 'ID' cards, fake appointment letters, joining letters, get conducted medical examination and also run a training center.”

REASONING:

8. The petitioner who was apprehending arrest in the caption above, had earlier filed anticipatory bail application before the Sessions Court which was rejected on 30th of January 2025. While rejecting the bail, the Sessions Court was aware of the factor of compromise but had mentioned that none had come forward for the compromise and as such the bail was dismissed. Subsequently, another application for anticipatory bail before the sessions Court was filed, however, vide order dated 11th March 2025, the said bail was also rejected. The Sessions Court would also mention a fact that the petitioner was earlier declared as a proclaimed person on 23rd October 2018. Later on, the petitioner came up before this Court by filing CRM-M-9683-2025, which was withdrawn on 19th February 2025 and liberty was given to file fresh after staying/quashing of the proclamation order.

9. Later on, one of the accused, Garima along with one more accused filed a compromise quashing petition before this Court which was registered as CRM-M-22246 of 2024 and vide order dated 27th May 2024, this Court decided the said petition by quashing the FIR qua the petitioners. In the said case, the petitioner has not attached the memo of parties to ascertain that who was the other petitioner along with her in that case. However, it appears to be even Gaurav and not the petitioner. A perusal of the bail petition clearly points out that it has not been drafted in chronological order, as such, to understand the facts properly, it is appropriate that this Court refers to Annexures annexed with the present bail petition instead of referring to the contents made in that bail

CRM-M-29467-2025

petition.

10. Annexure P1 is the copy of FIR dated 26th August 2016 in FIR No.202. which is the present case. A perusal of the FIR points out about the allegations of cheating for recruiting in the post of railways as a ticket collector. Annexure P2 is a compromise deed dated 04.02.2025 entered between the complainant and Kuldeep Singh(petitioner herein). Annexure P3 is order dated 23rd October 2018 passed SDJM Kosli, in which, the petitioner Kuldeep and his co-accused Pankaj Gupta were declared as proclaimed persons. Annexure P-4 is the copy of the bail orders of two persons, namely Gaurav and Garima. A perusal of the order dated 21st October, 2022 points out that the Additional Sessions Judge had granted bail to both the petitioners. Annexure P-5 is the copy of order in quashing petition based on compromise filed by Grima and another who appears to be Gaurav dated 27th May 2024, passed in CRM-M- 22246 of 2024, this court had quashed the FIR qua Garima and co-accused namely Gaurav. Annexure P6 is the copy of bail order of one Pankaj Gupta who is co-accused, in which this Court had made absolute the interim bail granted to Pankaj Gupta in CRM-M-30467 of 2022. Annexure P7 is the copy of the order dated 30.01.2025 passed by the Additional Session Judge, vide which anticipatory bail of Kuldeep was rejected. Annexure P8 is the copy of the second bail petition, which was dismissed by Additional Sessions Judge on the grounds of dismissal of the first petition and also that the petitioner was earlier declared as a proclaimed person. Annexure P-9 is the copy of the final report filed in the above captioned. FIR.

11. Annexure P-10 is the copy of order dated 19th February, 2025 passed by this Court in CRM-M-9683 of 2025, where the present petitioner had withdrawn the first anticipatory bail with liberty to file fresh after stay/quashing of proclamation order.

12. Annexure P11 is the copy of the order dated 11th May 2025 in which, Coordinate Bench of this court had stayed the operation of the Proclamation Order dated 23rd October, 2018. Thus, after stay of the proclamation order passed by a Coordinate Bench of this Court, the petitioner had again came up before this Court seeking anticipatory bail. Although the complainant has compromised the matter, but this court has to consider the serious nature of allegations levelled against the petitioner. Regarding the compromise with the other two persons, they were not the main accused, but by no stretch of imagination, were directly involved in offering the job to the victim.

13. A perusal of the FIR clearly points out that there were direct allegations against the petitioner that he had demanded Rs.12,00,000/- from the complainant by assuring him that he would get his son Anang Pal recruited in the railways on the post of Ticket Collector. The details of the payment made by the victim and mentioned in FIR, which reads as follows:

“...I have many connections at upper level and in this regard you will

CRM-M-29467-2025

have to pay me Rs.12,00,000/-. I believe on his false assertions, I am an Ex soldier and I am a very innocent person. That on 10.11.2014 Rs.3,00,000/- in cash and on 11.11.2014 in SBI Matenhal Branch Account No.31119098515 deposited Rs.2,00,000/- and on 14.12.2014 in SBI Kosli Branch Account No.31119098515 Rs.5,000/- and on 23.02.2014 in PNB Kosli Account No.4081000103458477 Rs.5,000/- and on 04.03.2015 in PNB Kosli, Account No.4081000103458477 Rs.49,900/- and on 11.05.2015 HDFC Kosli Account No.501000865813972 Rs.5,000/- and on 11.05.2015 SBI Kosli Account No.3162425020 Rs.49000/- and on 25.05.2015 in SBI Kosli Account No.32887976654 Rs.25,000/- and in PNB Kosli Account No.4081000103458477 Rs.49,000/- and on 25.05.2015 in SBI Dihana Account No.3162425020 Rs.80,000/- and on 25.05.2015 SBI Dihana Account No.3162425020 Rs.80,000/- and on 26.05.2015 PNB Kosli Account No.40810001033458477 Rs.6,000/- and on 08.07.2015 HDFC Kosli Account No.501000865813972 Rs.3,000/- and on 03.08.2015 HDFC Kosli Account No.501000865813972 Rs.50,000/- was deposited and on 31.08.2015 Rs.2,00,000/- was given in cash by me. Total amount of money paid by me was Rs.12,23,900/-. The above said person has defrauded me and has taken away my money. Against whom legal action be taken and justice be done to me. Thanking you. Sd/- Deputy Prasad s/o Ram Charan Village Jhal Tehsil Kosli District Rewari. Mobile No.98965xxxxx.”

14. The petitioner submits that the matter strands compromised with the victim, Depty Prasad, and as such he has the right of bail. The counsel for the State submits that the allegations are serious and simply because he has compromised the matter would not mean that whenever a person does cheating, he can always go for compromise if caught and go scot free.

15. On the other hand, State counsel submits that petitioner is playing with Courts hide and seek. FIR was registered in 2016 and he remain at run for 09 years as such, he is not entitled to bail.

16. An analysis of the petition, arguments and the reply would lead to the following outcome.

17. It has been explicitly mentioned in paragraph 5 of the reply regarding the details of the crime, which reads as follows:-

“5. That on dated 26.05.2025 Hon'ble High court has directed the state to file Reply/Response/Instructions/Status report on the following details under the following headings as -

CRM-M-29467-2025

A. The amount and/or value of the proceeds of crime involved in this FIR.:-

Answer:- Rs. 12,23,900/-

B. The amount and/or value of the proceeds of crime involved in this FIR attributed to the petitioner.:-

Answer:- Rs. 2,05,000/-

C. The amount/value of the proceeds of crime involved in this FIR, which have been recovered and/or frozen.:-

Answer:- Nill

D. The amount/value of the proceeds of crime involved in this FIR, which have been recovered from the petitioner and/or frozen of the petitioner.:-

Answer:- Nill

E. The evidence based on which the petitioner was arraigned as an accused.:-

Answer:- Name of petitioner has been comes in the statement of son of complainant namely Anangpal

F. The Evidence against the Petitioner. :-

Answer:- Statement of witness, discloser statement of co-accused, Bank account statement

G. The role of the petitioner:-

Answer:- Applicant/accused is part of a racket, which is being run for duping the people of their hard-earned money on account of getting employment for them and not only this, but also, the racket runs in such a manner that they issue fake 'ID' cards, fake appointment letters, joining letters, get conducted medical examination and also run a training center."

18. There is sufficient evidence of the petitioner being involved in the job market of demanding money. If in these types of cases, this court starts accepting compromises, then it would give an excellent lead to these thugs. To sell the jobs and if unsuccessful, return the money, taking the law and the system for a ride. This Court cannot be oblivious of the conspiracies these thugs would be playing upon the victims, who want government

CRM-M-29467-2025

jobs, even by unethical means, paying money, and certainly with an endeavour that the moment they get job by paying money, all efforts will be made to recover the money through bribe or through misappropriation or all possible means. If this court grants bail simply because after massive effort, the victims coming and got the matters compromised because the money could not have recovered or no efforts are made to recover and ultimately decided but at least receive that money back. This Court can also not lose sight of the fact that even the persons who were trying to get a job by paying money, were responsible to corrupt the system. Although it would be travelling beyond the canvas, but this Court must point out that mediocrity would automatically come in if jobs are procured through corruption or other unfair means or nepotism and eventually, if mediocrity takes the lead seat, it would certainly put behind the entire countries in the global upfront and would be responsible for overall lack of growth and maybe possible for downfall.

19. 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 the grant of anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

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

21. **Petition dismissed.** Interim orders are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

30.09.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.