



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

CRM-M No.6633-2025 (O&M)
Date of Decision: 14.02.2025

Roop Singh

.....Petitioner

Versus

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kartar Singh, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Shiv Kumar, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of pre-arrest bail to the petitioner in FIR No.499 dated 28.08.2024, under Sections 384, 406,420, 467, 468, 471, 120-B of Indian Penal Code, 1860, registered at Police Station Saran, District Faridabad.

2. Allegations as noticed by learned Additional Sessions Judge, Faridabad, in the order dated 24.01.2025 are as under:-

"3. Brief facts of this case, which are relevant for the disposal of bail application are that complainant Inderpal Verma presented an application to the police alleging that in the year 2017, his son Arun Verma and his daughter-in-law Poonam has filed mutual consent divorce petition at Faridabad Court and an amount of Rs.10,00,000/- was given to his daughter-in-law at first motion but his daughter in law refused to take divorce at second motion and a criminal case was got registered against his daughter in law Poonam and her parents by his Advocate, but later on, divorce was granted on 31.03.2018 as per mutual consent. Applicant/accused Roop Singh who is working as Clerk with Advocate Sh. Kanhiya Lal Vasistha came into his contact due to previous litigation, came at his shop in the year



2019 and told him about completion of his law degree and further told him that his daughter in law and her parents has filed a petition before Hon'ble High Court regarding the criminal case registered by him against them in the year 2017 and it was further advised that if case was not defended before the High Court, matter will be decided against them and advised to engage a lawyer and also assured to assist him to engage a lawyer, if no lawyer is known to him and lawyer fee was also given to him. Complainant was also assured by applicant/accused that defamation case was filed against his daughter in law and her parents and they will receive a compensation in lakhs. In the year 2019, applicant/accused informed the complainant that High Court has awarded a compensation to the tune of Rs.35,00,000/-. Some days later, applicant/accused informed the complainant that other party has filed an appeal before Supreme Court and complainant has to fight the case before Supreme Court in which he can receive damages to the tune of Rs.5-6 crores and accordingly, complainant used to give lawyer fee and other expenses to the applicant/accused. On 19.09.2020, complainant's son Arun was called at Faridabad Court for obtaining his signatures on some papers after getting the same from Delhi Court and applicant/accused asked Arun to accompany a girl namely Riya to Delhi because Riya is working in Saket Court, in order to get the papers from Saket Court, Delhi. Thereafter, both of them went left for Delhi but after some time, Riya told Arun that Advocate would meet them at a nearby hotel at Sector 21. Thereafter, they have booked a room at Hotel in the name of Arun and waited for their Advocate. When Advocate did not turn up, Arun asked Riya who told him that Advocate has reached at Faridabad Court and Arun alongwith Riya came back at Faridabad Court, where signature of Arun was obtained on some papers. On 19.09.2020 in the evening, applicant/accused informed complainant that Riya has got registered rape case against his son at Dwarka Court, Delhi and his son has to go jail, if you want to save your son from going jail, you have to give a sum of Rs.40 lakhs in order to engage Advocate at Delhi to defend the case. On 25.09.2020, applicant/accused informed the complainant about the final disposal of rape case. On 15.12.2020, applicant/accused told complainant that an unknown person was found murdered at Dadri (U.P) and a plastic container was found there having finger print of your son and you have to give a sum of Rs.35 lakhs in order to get your son out from murder case and applicant/accused was given a sum of Rs.35 lakhs on 19.12.2020 by the complainant. On 02.09.2021, applicant/accused informed the complainant that Advocate who was appearing before Supreme Court in favour of Poonam and his parents is missing and complaint was given by an Advocate Sh. Narender Jangra against you that you are involved in the missing of that Advocate and in order to save yourself, a sum of Rs.38 lakhs was to be given and accordingly Rs.38 lakhs in cash was given to applicant/accused on 08.10.2021. Applicant/accused used to told complainant that



2-3 Advocates fighting defamation case before Supreme Court had expired and used to take money from him time to time. When complainant has demanded papers and same was given to him on 17.09.2023, but same was found false and fabricated. In this way, applicant/accused has taken a sum of Rs.2,53,00,000/- from complainant. Accordingly, on the basis of these facts, FIR in question was registered and law was set in to motion.”

3. Contends that the petitioner has been falsely implicated merely on account of the fact that he was working as a Clerk with an Advocate at Faridabad, namely, Shri Kanhiya Lal Vashistha and during said period, he came in contact with complainant as well as his family members. Further contended that there has been an unexplained delay in lodging the present FIR and as such, it is a concocted story, just to implicate the petitioner in connivance with the Police. Lastly contended that petitioner is ready to join investigation, but he be protected.

4. *Per contra*, learned State counsel while opposing the prayer submits that petitioner has defrauded the complainant to the tune of Rs.2.53 crores; and he has forged the judicial orders of this Court, Allahabad High Court as well as of Hon’ble Supreme Court; thus his custodial interrogation would be very much necessary to know the true facts.

5. Learned Counsel for the complainant also opposed the prayer on the premise that there are other accused who have actively participated with the petitioner for commission of the crime and in case petitioner is granted pre-arrest bail, he shall hamper the on-going investigation.

6. Heard learned counsel for the parties and perused the paper-book.

7. Allegations are that petitioner duped the complainant to the tune of Rs. 2.53 crores and he also fabricated the judicial orders of Hon’ble Supreme Court, Allahabad High Court as well as this Court (R-4).



8. Although, during course of hearing, learned counsel for the petitioner tried to raise an argument that complainant himself has forged the aforesaid orders with the help of his staff; but the same would be a matter of thorough investigation.

9. Be that as it may, keeping in view the allegations leveled against the petitioner, he does not deserve the concession of pre-arrest bail, especially in view of the fact that his house was raided by Police on three different occasions, i.e. 06.12.2024, 19.12.2024 and 30.01.2025; but he is successfully evading the process of law.

10. In view of the above, this Court is of the considered opinion that custodial interrogation of the petitioner would be very much necessary to collect the relevant material and to ascertain the true facts of the case.

11. Consequently, there is no option, except to dismiss the petition.

12. Ordered accordingly.

13. Above observations be not construed as an expression of opinion on merits of case, in any manner.

Pending application(s), if any shall also stands disposed off.

14.02.2025
sailesh/SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No