



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

213

CRM-M-23436-2025 (O&M)  
Date of decision: 27.05.2025

Priyank Bhardwaj

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Mr. Deepak Panghal, Advocate  
and Mr. Vishal Kalra, Advocate  
for the petitioner (through video conferencing)

Mr. Vikas Bhardwaj, AAG, Haryana.

**HARPREET SINGH BRAR J. (Oral)**

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.43 dated 06.03.2025 under Sections 420, 406, 34 of the Indian Penal Code, 1860, registered at Police Station Bajghera, District Gurugram.

2. On 01.05.2025, the following order was passed:-

“XX XX XX XX

*Learned counsel for the petitioner, inter alia, contends that FIR (supra) was registered after a gap of 05 years. In fact, the complainant defaulted in making the payments of EMIs to the real estate developer. The petitioner is only a real estate broker and he is not responsible for depositing the EMIs. The complainant being the purchaser was required to pay the EMIs as per the schedule. Further, at the most, the dispute between the parties is purely civil in nature. Moreover, the maximum sentence provided for the offences, under which the FIR*



*(supra) is registered, is punishable upto 07 years and no notice under Section 35(3) of BNSS [erstwhile Section 41-A of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the petitioner.*

*Notice of motion for 27.05.2025.*

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).*

*If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.*

*Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”*



3. Learned State counsel, on instructions from ASI Vinod, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 01.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

5. The petition stands disposed of.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**27.05.2025**

*yakub*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No