



225(2) IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

CRM-M-53150-2022 (O&M)

Date of Decision: 23.07.2025

CHANDRA MOHAN SINGH

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

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

Present: Mr. Rakesh Gupta, Advocate and  
Ms. Manvi Arora, Advocate for the petitioner.  
Mr. Satbir Goripuria, DAG Haryana.  
Mr. Anil Chawla, Advocate for respondent No. 2.

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

1. The instant petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 423 dated 18.12.2020 registered under Sections 420, 467, 468 and 471 of Indian Penal Code at Police Station City Sohna, District Gurugram.

2. On 23.11.2022, following order was passed:

*“This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in a case bearing FIR No.423 dated 18.12.2020 under Sections 420/467/468/471 of IPC registered at Police Station, City Sohna, District Gurugram. Learned counsel for the petitioner relies upon the pendency of the similar case bearing CRM-M No.9727 of 2021 titled as 'Dhirendra Mohan Singh Vs. State of Haryana' (Annexure P-4).*

*Notice of motion.*

*Ms. Gaganpreet Kaur, AAG, Haryana puts in appearance and accepts notice on behalf of respondent No.1-State and seeks time to file reply.*

*Let notice be issued to respondent No.2 for 14.12.2022.*

*Interim order in the same terms as in CRM-M-9727-2021.*

*Needful be done by the next date of hearing with an advance copy to the other side.*



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*To be heard along with CRM-M-9727-2021.*”

3. Learned counsel for the petitioner submits that in compliance of aforesaid order dated 23.11.2022 passed by the Co-ordinate Bench of this Court, the petitioner has joined the investigation number of time. Further the dispute between the parties arises out of contractual obligations and *prima facie*, the dispute between the parties is purely civil in nature and the registration of FIR(supra) is clearly an abuse of the process of law.

4. *Per contra*, learned counsel for the complainant vehemently opposes the prayer made by learned counsel for the petitioner on the ground that forgery has been committed by the petitioner as he has furnished a fake bank guarantee. Further, learned counsel for complainant has referred to the order dated 28.10.2022 passed in CRM-M-9727-2021 passed by the Co-ordinate Bench of this Court, in which the petitioner in the said petition had submitted that he was ready to compensate any loss suffered by the complainant.

5. In rebuttal, learned counsel for the petitioner submits that veracity of the bank guarantee being fake has been thoroughly examined and it was found to be a valid bank guarantee. Further, the anticipatory bail petition cannot be converted into recovery proceedings as laid down by Hon'ble Supreme Court in *Dilip Singh vs. State of Madhya Pradesh and others 2021(2) SCC(Cri) 106* and *Lalit Chaturvedi and others vs. State of Uttar Pradesh and others 2024(2) R.C.R.(Criminal) 73*. Further, the petitioner has not been paid even a single penny towards the work executed by him in terms of the agreement.

6. Learned State counsel on instructions from SI Rajbir Singh submits that in compliance of order dated 23.1.2022 passed by the



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Co-ordinate Bench of this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

7. I have heard learned counsel for the parties and gone through the case file with their able assistance.

8. Without commenting further on the merits of the case, lest it may prejudice the rights of either of the parties and keeping in view the specific stand taken by learned State counsel that custodial interrogation of the petitioner is not required and he has joined investigation, the order dated 23.11.2022, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.

9. The petition is accordingly disposed of.

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

23.07.2025  
Ajay Goswami

*Whether speaking/reasoned* Yes/No  
*Whether reportable* Yes/No