



CRM-M-53016 of 2025

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

106

CRM-M-53016 of 2025  
Date of Decision: 23.09.2025

Balvinder Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

Present: Mr. C.S. Singhal, Advocate  
for the petitioners.

Mr. Neeraj Sheoran, Sr. DAG, Haryana.

Mr. Anuj Baliaan, Advocate  
for the complainant.

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**RUPINDERJIT CHAHAL, J (ORAL)**

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioners in case FIR No.162 dated 30.08.2025 registered under Sections 406, 420 and 120-B of IPC and Section 21(3) of Banning of Unregulated Deposit Schemes Act, 2019, at Police Station Panjokhra, District Ambala.

2. Brief facts as per the prosecution case are that the petitioners along with other co-accused duped the complainant to the tune of Rs.52,30,000/- on the pretext of doubling of money.

3. Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case. He argued that neither the



petitioners were employee of AL Virland Company nor they have any concern or connection with the said company. He further argued that even as per FIR, the petitioners have received Rs.2 lakhs from the complainant and they have returned the same to the complainant through online mode (paytm) and this fact is also not in dispute. He further argued that in fact, co-accused Jagdish Rai is the marketing head of the said company and as such, the petitioners cannot be held liable for any act and conduct of the said company. He further argued that custodial interrogation of the petitioners is not required for any recovery and they are ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending their arrest, the petitioners had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Ambala, vide order dated 12.09.2025.

5. Notice of motion.

6. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioners are serious in nature. He argued that the petitioners have been specifically named in the FIR. The petitioners along with co-accused had cheated and defrauded the complainant to the tune of Rs.52,30,000/- and have intentionally played fraud with the complainant. He further submits that the custodial interrogation of the petitioners is required for fair and proper investigation in the matter as well as to find out the modus operandi of accused and to effect



**CRM-M-53016 of 2025**

**-3-**

recovery of the money involved in the alleged fraud. Hence, he prays for dismissal of the petition.

7. At this stage, learned counsel for the complainant has also put in appearance and prays for dismissal of the petition by submitting that the petitioners have played an active role in the crime in question.

8. I have heard learned counsel for the parties at length and perused the paper book.

9. In the present case, the allegations against the petitioners are serious in nature. As per the prosecution, the petitioners in connivance with co-accused hatched criminal conspiracy and cheated and defrauded the complainant to the tune of Rs.52,30,000/- on the pretext of getting huge interest on his investment in AL Virland Company. There is steady increase of such cases in the society in which financial frauds are committed. Considering the gravity of the allegations, the custodial interrogation of the petitioners is required for fair and effective investigation in the matter.

10. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

*"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than*



*questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."*

11. The Hon'ble Supreme Court, in case titled as "**P. Chidambaram v. Directorate of Enforcement**", (2019) 9 SCC 24, while dealing with economic offences, has held that the power of anticipatory bail should be sparingly exercised in economic offences. The relevant portion of the judgment is reproduced as under:-

*"77. After referring to Siddharam Satlingappa Mhetre and other judgments and observing that anticipatory bail can be granted only in exceptional circumstances, in **Jai Prakash Singh v. State of Bihar**, the Supreme Court held as under: (SCC p.386, para 19)*

*"19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has falsely been enroped in the crime and would not misuse his liberty".*



***Economic Offences***

78. Power under Section 438 CrPC being an extraordinary remedy, has to be exercised sparingly; more so, in cases of economic offences. Economic offences stand as a different class as they affect the economic fabric of the society. In **Directorate of Enforcement v. Ashok Kumar Jain**, it was held that in economic offences, the accuse is not entitled to anticipatory bail.

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83. Grant of anticipatory bail at the stage of investigation may frustrate the investigating agency in interrogating the accused and in collecting the useful information and also the materials which might have been concealed. Success in such interrogation would elude if the accused knows that he is protected by the order of the court. Grant of anticipatory bail, particularly in economic offences would definitely hamper the effective investigation. Having regard to the materials said to have been collected by the respondent Enforcement Directorate and considering the stage of the investigation, we are of the view that it is not a fit case to grant anticipatory bail”.

12. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioners are necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is accordingly dismissed.

13. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

**(RUPINDERJIT CHAHAL)**  
**JUDGE**

**23.09.2025**

*D.Bansal*

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No