



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

CRM-M-8979-2025 (O&M)

Date of decision: 03.07.2025

Atul Jain

... Petitioner

Versus

State of Haryana

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Randeep S. Dhull, Advocate,
for the petitioner.

Mr. Dharam Pal, AAG, Haryana.

SANJAY VASHISTH, J. (ORAL)

1. In the instant petition, on 17.02.2025, the following order was passed:

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Atul Jain, aged about 41 years	182	01.08.2024	120-B, 420, 467, 468, 471 of IPC	Industrial Area	Bhiwani

2. Learned counsel for the petitioner, inter alia, contends that the allegation levelled by the complainant - Rahul is that for getting job in Indian Council for Agriculture Research, New Delhi, he paid an amount of Rs.10 lacs to the accused persons and for that purpose, an



amount of Rs.2 lacs was paid to the present petitioner in cash.

Counsel for the petitioner further submits that thereafter, co-accused Surender Singh handed over the appointment letter, identity card and salary slip to the complainant, which later on were found forged document.

3. Counsel for the petitioner further argues that as per the decision taken in the Panchayat proceedings, an amount of Rs.2 lacs has been paid by the present petitioner and only Rs.3 lacs is yet to be paid.

As per the allegations, it is evident that the complainant attempted to obtain job by paying bribe to the accused persons.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State.

6. Be it a case of cheating, forgery or corruption, it is obligatory over the investigating agency too, to examine the complainant before it, and then to proceed against the defaulters, whosoever is found involved in the crime.

7. Without making any observations, Superintendent of Police, Bhiwani, is hereby directed to examine the facts of the case in its entirety, and then to proceed in accordance with law.

8. Let a report be also filed before this Court on the next date of hearing.

9. List again on 17.03.2025.

10. To be taken up at 2.00 P.M.”

2. After filing of the status report by the State, on 30.04.2025, the following order was recorded:



“i) From paragraph No.9 of status report dated 31.03.2025, which is in the shape of affidavit of Nitish Agarwal, IPS, Superintendent of Police, Bhiwani, it is noticed that a month back Special Investigation Team (SIT) was constituted under the supervision of DSP, Bhiwani-II, to conduct further investigation into the case, including examining the role of the complainant.

ii) It is necessary to remind the deponent, who filed the status report that in the order dated 17.02.2025, the Superintendent of Police, Bhiwani, was specifically directed to examine the facts of the case in its entirety and then to proceed in accordance with law. Neither, in the affidavit it is made clear that he himself has examined the culpability, if any, of the complainant; nor anything fresh has been addressed before this Court about the outcome of the investigation vis a vis the complainant in FIR, if any, filed by SIT.

It would not be out of place to mention here that in the complaint, complainant himself has admitted of paying the amount for the purpose of getting job in the Indian Council for Agriculture Research, New Delhi.

Let copy of this order be forwarded to the Superintendent of Police, Bhiwani and then to apprise the outcome of the investigation, as has been projected in the Status report.

iv) List on 15.05.2025.

v) To be shown in the urgent list.”

3. Today, the Court is informed that the petitioner as well as the complainant have been arrested in the present case. Therefore, nothing substantive survives in this petition.



4. In view of the aforementioned circumstances, no cause of action survives in the instant petition filed for anticipatory bail, and the same is disposed of accordingly.

**(Sanjay Vashisth)
Judge**

03.07.2025

Rajan

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No