



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

206

CRM-M-7408-2025

Date of decision: 20th March, 2025

Pawan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Samay Sandhawalia, Advocate for the petitioner.

Ms. Sakshi Bakshi, Deputy Advocate General, Punjab.

Mr. M.S. Cheema, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 02 dated 07.01.2025 registered under Sections 318(4), 351(3), 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sadar Kurali, District Mohali.

2. Status report has been filed by respondent-State. Copy supplied to learned counsel for the petitioner.

3. Report has been received from the Mediation and Conciliation Centre, as per which, a settlement has been arrived at between the parties. The original settlement agreement has been annexed with this report.

4. Learned counsel for the complainant present in Court, has



submitted that in terms of the settlement agreement, the petitioner has given an amount of Rs. 5,00,000/- to the complainant and has agreed to pay the remaining amount within the period as stipulated in the agreement. He has also submitted that the complainant has no objection, if the petition is allowed.

5. As per the allegations, the petitioner along with the co-accused had induced the complainant to invest money in foreign companies by alluring that they would arrange double profits of such investments. On being so allured, the complainant had arranged an amount of Rs. 30,00,000/- from his friends and family members. On asking of the petitioner and co-accused, the cash amount of Rs. 30,00,000/- has been handed over by him to the accused- Rahul Kumar and two other persons on 19.12.2024. Subsequently, the complainant came to know that he was duped of that money and therefore, he lodged the aforementioned FIR.

6. As per the settlement agreement, the petitioner has paid an amount of Rs. 5,00,000/- to the complainant and has agreed to pay the remaining amount. In the given nature of the circumstances, this Court is of the opinion that pre-trial incarceration of the petitioner is not required. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrender before the learned trial Court within a period of ten days from the date of passing of this order and on his surrender within that period, he shall be released on bail by the learned trial Court on furnishing bonds to its satisfaction and the following conditions:-

(i) the petitioner shall cooperate with the investigation and shall



appear before the investigating officer/arresting officer as and when required.

(ii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) he shall not commit any similar offence while on bail.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[MANISHA BATRA]
JUDGE

20th March, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*