



CRM-M-64789-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-64789-2024
Decided on:29.04.2025

RAHUL SOOD

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Saransh Sabharwal, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. Present petition has been filed by the petitioner namely Rahul Sood, aged about 55 years, for grant of anticipatory bail, in case bearing FIR No.77, dated 05.05.2017, under Sections 406, 420, 506, 120-B of the IPC, registered at Police Station Cheeka, District Kaithal.

2. On 10.01.2025, following order was passed:-

“1. Present petition has been filed by the petitioner namely Rahul Sood, aged about 55 years, for grant of anticipatory bail, in case bearing FIR No.77, dated 05.05.2017, under Sections 406, 420, 506, 120-B of the IPC, registered at Police Station Cheeka, District Kaithal.

2. On the very outset, learned Senior counsel for the petitioner contends that the petitioner has been dragged unnecessarily in several criminal cases, and in one of the case wherein verbatim allegations have been made. This Court has already granted concession of interim anticipatory bail, vide order dated 07.01.2025 passed in CRM-M-65581-2024. Copy of the said order is taken on record.

3. In addition to the submissions addressed and recorded in the order dated 07.01.2025, learned Senior counsel for the petitioner submits that the main accused are absconding, and had there been any motive on the part of the petitioner, he would also absconded from the clutches of law.



4. Further submits that there is no evidence with the prosecution to suggest that with the kind of allegations levelled against the petitioner, he has earned any monetary benefit or any amount has been credited to his account. He also submits that the petitioner has already been granted regular bail in the alleged offence under the Prevention of Money Laundering Act, also.

5. Since, order dated 07.01.2025 is containing the submissions addressed therein, same is reproduced here below:-

“Present: Mr. Rakesh Nehra, Sr. Advocate with

Mr. Saransh Sabharwal, Advocate and

Mr. Sauhard Singh, Advocate for the petitioner.

Ms. Geeta Sharma, DAG Haryana.

Learned counsel for the petitioner inter alia contends that petitioner is Advocate by profession having 30 years of practice and he has been appointed as retainer by the accused company and he remained Independent Director only for a very limited period and he was not even the Director at the time of alleged occurrence and in similar circumstances, criminal complaints filed against the petitioner were quashed by the Coordinate Bench of this Court in CRM-M-48069-2023 decided on 18.11.2024 (Annexure P-3). Moreover, the maximum sentence under which the FIR(supra) has been lodged is punishable upto 07 years and notice under Section 35-A of BNSS has not been served upon the petitioner. Learned senior counsel placed reliance upon **Dhanraj Aswani Vs. Amar S. Mulchandani and Another 2024 AIR SC 4983**, and submits that anticipatory bail under Section 438 of Cr.P.C. is maintainable at the instance of the accused while he is in judicial custody in connection with his involvement in another FIR and as such, the petitioner is entitled to anticipatory bail in view of the directions issued by the Hon'ble Supreme Court in **Md. Asfak Alam v. State of Jharkhand and another 2023 (3) R.C.R(Criminal) 754**. Learned Sr. Advocate further contends that in another bunch of more than 40 cases against the petitioner, notice of motion has already been issued by Co-ordinate Bench of this Court vide Annexures P-3 and P-4 respectively.



Per contra, learned State counsel opposed the prayer of grant of anticipatory bail to the petitioner on the ground that petitioner is currently lodged in District Jail, Kaithal in some other case and he is a habitual offender and involved in 102 more cases.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar (2014) 8 SCC 273, Arnab Manoranjan Goswami v. State of Maharashtra (2021) 2 SCC 427, Satender Kumar Antil v. CBI (2022)10 SCC 51, Siddharam Satlingappa Mhetre v. State of Maharashtra & Ors. 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia V. State of Punjab (1980) 2 SCC 565**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS. If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.*

Adjourned to 07.02.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

6. *Notice of motion.*
7. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State.*
8. *List again on 17.03.2025, to enable the learned State counsel to file reply/status report in the matter.*
9. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the*



Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023.

10. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Learned counsel for the petitioner contends that in compliance of the order dated 10.01.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel on instructions from SI Vikram Singh, submits that after completion of investigation, cancellation report has been prepared. However, same is required to be submitted to the Court of concerned Magistrate. Moreover, he is unable to dispute the factum of joining of investigation of the petitioner, as stated by counsel for the petitioner.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and since custodial interrogation is no more required, present petition is allowed and ad-interim order dated 10.01.2025, passed by this Court, is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

29.04.2025

Lavisha

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**