

2025:PHHC:115339



224

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

CRM-M-40950-2025

Date of decision: August 28, 2025

Rubil Arora

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Aman Pal, Advocate and
Ms. Swati Katoch, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

Mr. Rajesh Kumar Moudgil, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of
concession of anticipatory bail to the petitioner in case FIR No.102 dated
16.02.2025, registered for offences punishable under Sections 406/420 of
IPC, 1860, at Police Station Thanesar Sadar, District Kurukshetra.

2. On 31.07.2025, the following order was passed:

*"Apprehending his arrest in FIR No.102 dated 16.02.2025
registered for offences punishable under Sections 406/420 of IPC at
Police Station Thanesar Sadar, District Kurukshetra; the petitioner has
preferred this petition under Section 482 of Bharatiya Nagarik Suraksha
Sanhita, 2023 seeking pre-arrest bail.*

*Counsel for the petitioner, inter alia, contends that the petitioner is
a consultant who was merely advising the petitioner, the dispute pertains
to the year 2023 and the FIR came to be registered in the year 2025, in
order to show his bonafide, the petitioner is willing to pay Rs.3.60 lakhs to
the complainant (the amount which is alleged to have been transferred to
him by way of bank transaction) & the petitioner is willing to join
investigation and cooperate therein.*

Notice of motion.

*On the strength of advance notice; Mr. Tarun Aggarwal, Addl.AG,
Haryana has entered appearance on behalf of the respondent-State of
Haryana.*

At this stage; Mr. Rajesh Kumar Moudgil, Advocate has put in appearance on behalf of the complainant and filed power of attorney.

Adjourned to 28.08.2025.

The petitioner is directed to appear before the Investigating Officer on 07.08.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned counsel for the petitioner has argued that the petitioner has joined investigation and has cooperated therein. He has further submitted that he has brought forth a demand draft bearing No.466793 dated 22.08.2025 for an amount of Rs.3,60,000/- in favour of the complainant, namely, Dharampal Singh, to be handed over to the complainant without prejudice to his rights etc. A copy thereof has been tendered in the Court today, which is taken on record.

4. Learned State counsel (on instructions) has stated that pursuant to the order dated 31.07.2025, the petitioner has indeed joined investigation, but his custodial interrogation is required to effect recovery of the entire duped amount, which is Rs.6.60 lakhs.

5. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that allegations against the petitioner are serious and direct in nature. He has further iterated that in case, the petitioner is extended the concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice and also intimidate the witnesses. He has however, received the aforesaid demand draft of Rs.3.60 lakhs without prejudice to his rights/ contentions.

6. Having heard learned counsel for the parties and upon perusal of the record, especially in view of the factum of the petitioner having joined investigation and cooperated therein, but his custodial interrogation being

sought only to effect recovery of entire duped amount of Rs.6.60 lakhs, the interim order dated 31.07.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

7. Petition stands allowed, accordingly.

8. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

9. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

10. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 28, 2025

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No