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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

387

CRM-M-14420 of 2026
Date of Decision: 06.04.2026

Prasoon Pal and others

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Varinder Singh Saini, Advocate
for the petitioners.

Ms. Shaveta Sanghi, DAG, Haryana.

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.67 dated 09.09.2025 registered under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Cyber Crime, District Fatehabad.

2. Brief facts as per the prosecution case are that the petitioners along with co-accused committed fraud with the complainant and dishonestly retained a sum of Rs.29,80,000/-. Hence, the present FIR.

3. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. He argued that the alleged transactions pertain to the year 2024 but the FIR in question was registered on 09.09.2025 i.e. after an unexplained delay of more than 01 year, casting serious doubt on the prosecution story. He argued that the

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complainant has deliberately concealed the material facts that a duly executed franchise/partnership agreement dated 06.02.2024 was entered between him and Taskar Global Pvt. Ltd. governing the rights and obligation of the parties which was signed by the complainant himself after understanding its terms and conditions. He further argued that FIR is an afterthought and lodged to give criminal colour to a business dispute. He further submitted that the alleged amount was transferred in the bank account of the company and the petitioners are not direct beneficial of any transaction. He further submitted that the entire case is based on documentary evidence which are already in possession of the complainant or the investigating agency, hence, nothing is to be recovered from the petitioners. Learned counsel for the petitioner further submits that the petitioners are ready and willing to join the investigation as and when called upon to do so by the investigating agency. Hence, he prays that present petition be allowed.

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, Fatehabad, vide order dated 19.02.2026.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, she has vehemently opposed the prayer of the petitioners for grant of anticipatory bail on the ground that the allegations levelled against the petitioners are serious in nature. She argued that the name of the petitioners are emerged in the disclosure statement of co-accused Utkarash Kashyap. She further argued that the being the directors/co-shareholders and benefeciary of Tasker Global Pvt.

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Ltd. hatched a criminal conspiracy to cheat the complainant and they induced the complainant on the pretext of providing a health care mall franchise and sishontestly obtained an amount of Rs.29,80,000/- from the complainant. Thereafter, the accused persons misappropriated the said amount and closed the health care mall on false pretexts and causing wrongful loss to him. She further argued that the petitioner is involved in seven other cases meaning thereby he is a habitual offender. She further argued that the petitioners were granted multiple opportunities to join investigation but they failed to do so. He further submitted that the custodial interrogation of the petitioners is required for a fair and proper investigation in the matter, to unearth the modus operandi of accused; to recover the amount involved in the alleged fraud and identification and arrest of other co-accused. Hence, he prays for dismissal of the petition.

6. Having heard learned counsel for the parties and perused the material available on record, this Court finds no merit in the present petition. The allegations against the petitioners are serious in nature involving a substantial amount allegedly obtained by inducing the complainant under false pretences. The plea regarding delay in registration of the FIR and existence of a franchise agreement are matters to be examined during trial and do not, at this stage, dilute the gravity of the accusations. The record further reveals that the petitioner has not cooperated with the investigation despite opportunities and his custodial interrogation is stated to be necessary for unearthing the modus operandi, recovery of the defrauded amount, and identification of other co-accused. The involvement of the petitioner in other criminal cases also cannot be ignored at this stage. The events in entirety indicate towards the existence



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of a bigger syndicate indulging in dubious activities as a result of which, innocent victims end up being preyed upon by such illusory tactics. While considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. The investigation is at nascent stage and granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioners is necessary for effective investigation in the matter.

8. 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."

9. Further, 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”.

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is 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.

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

(RUPINDERJIT CHAHAL)
JUDGE

06.04.2026
D.Bansal

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