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

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2026:PHHC:079329

**CRM-M-25019-2026 (O&M).
Date of decision: 20.05.2026.**

JITENDER SINGH ALIAS JEETU

...Petitioner(s)

VERSUS

STATE OF HARYANA THROUGH STATION HOUSE OFFICER, POLICE STATION BAHIN, DISTRICT PALWAL, HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Shasak Jain, Advocate,
(Through Video Conference)
for the petitioner(s).

Ms. Chhavi Sharma, AAG, Haryana, assisted by
PSI Surekha, P.S. Bahin.

VINOD S. BHARDWAJ, J. (Oral)

CRM-21680-2026

Present application has been filed for seeking permission to argue the main case which is listed for hearing on 10.07.2026 by preponement of the same.

The application is allowed as prayed for.

The main case is preponed from 10.07.2026 and is taken on Board today itself.

Main case

This is the first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.169 dated 03.12.2021, under Section(s) 420, 406, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Bahin, District Palwal, Haryana.

2 Briefly stated, the present FIR was registered on the complaint made by Gajraj son of Raghunath Singh, resident of village Bahin, Tehsil Hathin, District Palwal. As per the complainant, in July 2019 he had gone to village Manpur to meet his friend Mohan, where he came in contact with accused Nos. 1 and 2, namely Mithun and Rajender Kaushik, in the presence of one Rajpal Singh Malik, with whom the complainant was already acquainted. During the course of conversation, the complainant disclosed that his father, who had earlier served as a Patwari in the Revenue Department and had been placed under suspension, had recently lost litigation concerning his service benefits upto the Hon'ble Supreme Court. It was alleged that accused No.2 Rajender Kaushik represented that his daughter, namely accused No.3 Kiran, was an advocate having cleared judicial service examinations and that she had close connections with Judges posted at Chandigarh and Faridabad. The accused persons represented that they were capable of getting the complainant s case resolved through their influence with Judges of the High Court. The complainant further alleged that accused Nos. 1 and 2 demanded 30% commission for getting the matter settled and assured him that payments could be made in installments. It was further alleged that accused No.2 took

the entire case file from the complainant on the same day for showing it to accused No.3 Kiran.

3 The complainant further alleged that after a few days accused No.1 Mithun contacted him telephonically and made him speak with accused No.3 Kiran, who informed him that she had spoken to a Judge of the Punjab & Haryana High Court and he directed him to coordinate payments through Mithun. Thereafter, accused No.1 Mithun, along with one Jeetu, visited the complainant s house and represented that they regularly managed such matters through their connections with Judges and other officials. Believing such representations, the complainant got vakalatnamas and legal papers signed from his father and paid Rs.25,000/- to accused No.1. It was further alleged that subsequently further amounts were paid to accused No.1 on different occasions and that by 15.03.2020 an amount of approximately ₹3 lakhs had been paid.

4 The complainant further alleged that thereafter accused No.3 Kiran informed him over telephone that the case had been won and the next day accused No.1 Mithun visited his house carrying a copy of a Court order. It was alleged that accused No.1 thereafter demanded Rs.5 lakhs on the pretext that the concerned Judge had sought the said amount for passing the final order and securing release of service benefits amounting to nearly Rs.1 crore in favour of the complainant s father. Under such pressure, the complainant borrowed Rs.5 lakhs from his friend Mohan and paid the same to accused No.1 and Jeetu in the presence of witnesses. The complainant further alleged that thereafter accused No.1 repeatedly demanded further amounts on various pretexts, including payments required for Judges, officers and government

officials and that the complainant, believing the assurances extended by the accused persons, continued making payments through himself and his acquaintances. It was alleged that even during the COVID-19 lockdown period beginning from March 2020, the accused persons continued to assure the complainant that the work was in progress.

5 It was further alleged that on 10.09.2020 accused No.1 showed the complainant a cheque issued by the Revenue Department for an amount of Rs.98,25,432/- but refused to hand over the same on the ground that one final formality remained pending and that an additional amount of Rs.3 lakhs was required for clearance of the cheque. The complainant alleged that he arranged the said amount from one Hoti son of Gulab and paid the same to the accused persons. The complainant further alleged that a photograph of the said cheque was sent to him by accused No.1 through WhatsApp.

6 As per the complainant, despite repeated payments, neither the cheque nor any benefits were ever released in favour of his father. It was alleged that thereafter accused No.1 again sent a draft relating to the dues amount and further extracted Rs.3.5 lakhs from the complainant on the pretext of pension-related formalities. The complainant alleged that the accused persons continued demanding money on one pretext or another, assuring him that pension and service dues would soon be released. The complainant further alleged that upon repeatedly approaching the accused persons at their residence during the year 2021, they continued extending assurances regarding release of pension and dues but failed to return either the money or the purported cheque/draft documents. Thereafter, upon making inquiries from advocates practising before the High Court and other persons acquainted

with legal proceedings, the complainant discovered that the accused persons had conspired together and prepared forged and fabricated orders and documents to cheat him. It was further alleged that through such acts, the accused persons dishonestly induced the complainant to part with approximately Rs.28,50,000/- on false representations regarding settlement of litigation and release of service benefits and thereby caused wrongful financial loss to him. The complainant also alleged that accused No.1 was involved in similar cases of cheating and fraud. On the basis of the aforesaid allegations, the complainant alleged commission of cognizable offences by the accused persons and sought registration of a criminal case and conduct of a fair investigation against them.

7 Learned counsel appearing on behalf of the petitioner contends that the petitioner is merely a driver by profession and has been falsely implicated in the present case solely on account of his employment under co-accused Mithun Kaushik, whose vehicle he used to drive in the ordinary course of his duties. It is submitted that, even as per the allegations levelled in the FIR, the only role attributed to the petitioner is that he was seen accompanying the principal accused on certain occasions, which by itself does not constitute any incriminating circumstance establishing his involvement in the alleged conspiracy or cheating transactions.

8 Learned counsel further submits that no independent role has been specifically attributed to the petitioner in relation to the inducement, preparation of forged documents, receipt of money or representations allegedly made to the complainant. It is argued that the petitioner has been roped into the present case merely by virtue of his association with the co-

accused in his capacity as a driver and not on the basis of any substantive material indicating active participation in the alleged offences.

9 Learned counsel appearing on behalf of the petitioner vehemently contends that, as per the prosecution case itself, the complainant had paid a large sum of money to the main accused Mithun Kaushik and his father Rajender Dutt Kaushik as well other members of their family for securing orders in their favour on the pretext of having influence with judicial officers and government authorities. He contends that in the absence of any specific role attributed to the petitioner of having forged any documents or he having allured the complainant to deliver any money, the role of the petitioner cannot be equated to the other co-accused who have orchestrated and benefited from the said transactions. It is also contended that the petitioner has already undergone an actual custody of nearly one year. He contends that the case is triable by the Court of Judicial Magistrate and that prolonged custody of the petitioner for an indefinite period would serve no useful purpose.

10 State counsel, on the other hand, contends that the allegations in the present case disclose a grave and serious fraud whereby the accused persons, acting in concert with one another, collected huge amounts of money from the complainant on the false pretext of securing favourable judicial orders through influence and illegal means. It is submitted that such conduct not only constitutes cheating and criminal conspiracy but also tends to bring disrepute to the institution of administration of justice and erodes public confidence in the judicial system.

11 Learned State counsel further submits that the accused persons, including the present petitioner, projected themselves having access and

influence with judicial officers and government authorities and thereby induced the complainant to part with an amount of approximately Rs.28 lakhs in the course of the conspiracy. It is further contended that specific allegations have been levelled against the present petitioner regarding collection of money from the complainant on numerous occasions. The petitioner is also alleged to have repeatedly assured the complainant that the principal accused, namely Mithun Kaushik, possessed considerable influence and had successfully procured favourable orders for several other persons as well. Learned State counsel thus submits that the role attributed to the petitioner is not merely peripheral or incidental in nature, but reflects his active participation in the execution of the alleged scheme.

12 Further, State counsel contends that there is no delay in conclusion of the evidence as 11 witnesses have already been examined by the Sub Divisional Judicial Magistrate, Hathin. She contends that charges have also been framed in the aforesaid case for certain offences which are triable by the Court of Sessions hence, the case has been committed to the Court of Sessons, at this stage, hence the claim that the offences are triable by the Court of Judicial Magistrate would be ill conceived and unsustainable.

13 I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition as well as have also considered the arguments advanced.

14 Taking into consideration the gravity and seriousness of the allegations levelled against the petitioner, this Court does not find it to be a fit case for grant of the concession sought. The allegations, prima facie, disclose a well-orchestrated scheme whereby unsuspecting litigants were induced to

part with substantial amounts of money on false assurances and representations that favourable judicial orders could be procured through influence and illegal means. Such allegations, if ultimately established, strike at the very foundation of public faith in the administration of justice.

15 The institution of justice derives its legitimacy and strength from the confidence reposed in it by the common citizen. Any attempt by individuals to exploit innocent or gullible litigants by falsely portraying access or influence over judicial functioning for personal monetary gain not only constitutes a serious criminal act but also has the tendency to erode the sanctity, integrity and credibility of the judicial system itself. Acts of such nature cannot be viewed lightly, for they tarnish the image of the institution and undermine public confidence in the rule of law.

16 This Court is also unable to ignore the specific allegations attributed to the petitioner regarding his active participation in collecting money and also of repeatedly assuring the complainant that favourable orders would be secured, through the influence, by the co-accused persons. The magnitude of the amount extracted from the complainant and the nature of the accusations levelled reflect a calculated and systematic design rather than an isolated or innocuous act.

17 Having regard to the overall facts and circumstances of the case, the nature of allegations, the stage of the proceedings and the larger impact such acts have upon the purity and credibility of the justice delivery system, this Court is not inclined to extend any indulgence in favour of the petitioner.

18 Accordingly, finding no merit in the present petition, the same stands dismissed.

May 20, 2026. **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

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