



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

(103)

CRM-M-38670-2026 (O&M)
Date of Decision:22.07.2026

RAVINDER KUMAR @ RAVINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Arshdeep Singh Sivia, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

Mr. Anil Kumar Spehia, Advocate
for the complainant.

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VIRINDER AGGARWAL, J. (Oral)

CRM-29062-2026

1. Allowed as prayed for subject to all just exceptions.

Main Case

1.1. The present petition has been instituted under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 438 of the Code of Criminal Procedure, 1973, seeking the concession of anticipatory bail in connection with FIR No.78 dated 26.05.2026, registered under Section 420 of the Indian Penal Code, 1860, at Police Station Maqsudan, District Jalandhar.

2. Briefly stated, the prosecution case is that the complainant alleged that the petitioner induced him to enter into a franchise agreement



pertaining to the business operating under the name and style of "The Crispy Hawkers" and, by making false representations, dishonestly misappropriated an amount of approximately ₹44,50,000/-, thereby committing the offence of cheating.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case and that the allegations levelled in the FIR are wholly misconceived. It is submitted that the petitioner was carrying on business under the name M/s The Crispy Hawkers, and the complainant, being desirous of obtaining a franchise, voluntarily entered into a franchise agreement with the petitioner after fully understanding its terms and conditions. It is argued that the dispute, if any, emanates purely from contractual obligations arising out of the franchise agreement and is, therefore, civil in nature. Mere breach of contractual terms, in the absence of fraudulent or dishonest intention at the inception of the transaction, does not constitute an offence punishable under Section 420 IPC. It is thus prayed that the petitioner be granted the concession of anticipatory bail.

4. Notice of motion.

5. Mr. Jasjit Singh Rattu, learned Deputy Advocate General, Punjab, accepts notice on behalf of the State. Mr. Anil Kumar Spehia, Advocate, has put in appearance on behalf of the complainant. Learned State counsel as well as learned counsel for the complainant have vehemently opposed the petition and prayed for its dismissal, contending that the custodial interrogation of the petitioner is necessary in view of the



serious allegations of cheating and inducement involving substantial financial transactions.

6. I have heard learned counsel for the parties and have perused the paper book with their able assistance.

7. Having bestowed thoughtful consideration to the rival submissions and upon a *prima facie* appraisal of the material available on record, this Court finds that the petitioner was allegedly inducing members of the public to obtain franchises under the trade name "*The Crispy Hawkers*" despite not possessing a registered trademark in respect thereof at the relevant point of time. Significantly, the registration certificate relied upon by the petitioner, produced during the course of hearing, reveals that the trademark registration was granted only on 16.07.2026, i.e. during the pendency of the present petition and long after the execution of the franchise agreement forming the subject matter of the present FIR. *Prima facie*, therefore, the material on record does not support the petitioner's claim that he possessed enforceable proprietary rights over the said trade name at the time the alleged representations were made to the complainant. Without expressing any opinion on the merits of the case and having regard to the nature and gravity of the allegations, the manner in which the alleged offence is stated to have been committed, and the requirement of effective investigation, this Court is not inclined to exercise its discretionary jurisdiction under Section 438 Cr.P.C./Section 482 BNSS in favour of the petitioner.

8. Consequently, finding no merit in the present petition, the same is **dismissed**.



9. In light of the final disposition of the captioned matter, all pending miscellaneous and interconnected applications are hereby deemed disposed of. The adjudication of the primary dispute has spent the force of these ancillary proceedings, rendering them infructuous *ex facie*. Consequently, no independent or supplemental orders are warranted or required in respect thereof.

22.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No