

**IN THE COURT OF UPINDER SINGH JANDU,
ADDITIONAL SESSIONS JUDGE, SANGRUR.
(UID Number PB00842)**

Case Type	Bail Application
Registration Number	2180 Date of Registration : 20.06.2026
CNR Number	PBSG01-005454-2026
Date of Decision	03.07.2026

Gulshan Sharma aged 49 years son of Tarlok Sharma, resident of # 966/50-C Panch Rattan Street, Harbanspura, Ludhiana.

...Applicant/accused

Versus

State of Punjab

...Respondent

Application under Section 482 of BNSS for grant of Anticipatory Bail

FIR No. 96 Dated 03.06.2026
Under Sections 318 (4) BNS
Police Station City Sangrur.

Present: Sh. G.S.Saini, Advocate for applicant/ accused.
Sh. H.R.Goyal, Additional Public Prosecutor for the State
assisted by Sh. Beant Singh Chhajli, Advocate for
complainant.

ORDER

1. This application for grant of anticipatory bail has been filed on behalf of applicant/accused in a case FIR number 96 Dated 03.06.2026 Under Sections 318 (4) BNS Police Station City Sangrur.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance. Record has been produced by ASI Ram Singh, number 2230/Sangrur.

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3. I have heard the learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant and have gone through the record.

Arguments advanced by the learned counsel for the applicant/accused:

4. The learned counsel for the applicant/accused submitted that applicant/accused is neither employee of Npay Box Private Limited nor has any concern with said company. The stated investment has been made by the complainant at his own behest and amount has been transferred into the account of Npay Box Private Limited. The matter is already under investigation with ED in which account of Npay Box Private Limited has been freezed. The case is based on documentary evidence. No recovery is to be effected from the applicant/accused. Applicant/accused is ready to co-operate with the police for further investigation and is ready to join the investigation. It has been prayed that the applicant/ accused be released on anticipatory bail.

Arguments advanced by Learned Additional Public Prosecutor for the State assisted by the learned counsel for the complainant:

5. Per contra, learned Additional Public Prosecutor for the State assisted by the learned counsel for the complainant has opposed the bail application on the ground that applicant/accused is a cancer patient and he was duped by the applicant/accused on the pretext of making his money double by investing in Npay Box Private Limited and in that regard, different amounts have been transferred at the behest of the applicant/

accused into Id maintained by applicant/accused qua which an amount of Rs. 3,38,000/- has been transferred by the complainant to the applicant/accused in his Id after which same has been invested in Npay Box Private Limited. The custodial interrogation of the applicant/accused is needfully required not only to recover the amount of the complainant but also to ascertain as to how many other gullible persons like the complainant have been duped by the applicant/accused. It has been prayed that the bail application of the applicant/accused be declined.

Factual matrix of the Case:

6. The criminal law was set into motion against the accused on the basis of the complaint moved by complainant Satwant Singh wherein it has been submitted that he is about 73 years old and is a retired railway employee and has been a member of the Indian hockey team. He currently lives in America (USA) and often visits India and he is also a cancer patient who has returned to India after three years. He knew Manjit Singh son of Mahinder Singh, resident of Tsunami Gate, Sangrur for the last 35-40 years. When he used to come to Sangrur, he used to go to his shop to meet him. In November 2024, when he came to India, he used to go to his shop occasionally. At his shop, Manjit Singh introduced him to Gulshan Sharma, who invests money in a company and gives people commissions. Manjit Singh also told him that he also invests money in the company and they will benefit him. At first, he did not do it, but Manjit Singh always told him that he is sitting here, he can invest money without worrying. He has invested money of many people in the company before and all

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of them have benefited. It is worth mentioning here that Gulshan Sharma also gave some part of the commission that came to Manjit Singh. He used to take this commission because it was his responsibility that in the event of the money sinking, it would be his responsibility. He came into the words of Manjit Singh and Gulshan Sharma, and they cheated him by promising to double his money. He gave them two cheques No. 000003 dated 5-2-2025, depositing Rs. 1,10,000/- through HDFC Bank Branch Sangrur and NEFT 25036409090 Punjab National Bank to deposit Rs. 1,10,000/- in the company. They gave him Rs. 10,000/- and Rs. 9200/- as commission and then Rs. 60,000/- after a few months. Then Manjit Singh told him that by depositing Rs. 1,18,000/- more, they will give him double amount after a month, that is, Rs. 2,40,000/-, so he gave another cheque bearing cheque No. 000004 dated 18-3-2025, to the said Gulshan Sharma. After two or three days, he told Manjit Singh that he will not deposit a penny and return his cheque. Manjit Singh told that they will not give anything then the said persons gave him Rs. 52,000/- and then Rs. 16,000/- as commission and did not give the remaining money. Now when he asked them to return his amount of Rs. 3,38,000/-, the said persons are evading from him and are refusing to return his money and Gulshan Sharma clearly said that he does not have any money to give to him, and that he may do whatever he wants. An action be taken against the said persons for cheating him of Rs.3,38,000/- by fraud and his money should be returned as he has to go back to America for his treatment in the month of March 2026.

Findings:

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7. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record, coupled with the assistance rendered, it is pertinent to make mention that the manner in which embezzlement of the amount has been effected by the applicant/accused shows the smart way in which a planned heist of public money has been effected by Npay Box Private Limited while operating through numerous agents like applicant/accused. The custodial interrogation of the applicant/accused is needfully required to unearth the entire conspiracy in the case. Reliance is placed o/n the findings in **Anupam Gupta vs. State of UT, Chandigarh, 2023(4) 382 (P&H)** wherein **Hon'ble Punjab and Haryana High Court** has held that, "when a person is equipped with favourable order of anticipatory bail, then the interrogation becomes a mere ritual."

8. Reliance is placed on the findings in **Ashu vs. State of Punjab, 2025 Live Law 09(PH)**, wherein it has been held by the **Hon'ble Punjab and Haryana High Court** that "while adjudicating a plea for anticipatory bail, this court cannot remain oblivious to the circumstances under which the petitioner has been arraigned or implicated, including the nature of the allegations, the evidence linking the petitioner to the offence as well as the specific role attributed to the petitioner in the commission of the alleged offence. A prima facie examination of these factors is essential to ensure that the process of law is not misused, abused or

misdirected.” Reliance is placed on the findings of **the Hon’ble Supreme Court in Sumitha Pradeep vs. Arun Kumar C.K. AIR 2022 SC 5705** in which Hon’ble Supreme Court has held that, “there may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.” Courts thus must primarily evaluate the prima facie case, nature of the offence, and severity of punishment, rather than just the need for custody.

9. The custodial interrogation of the applicant/accused is needfully required. The facts and circumstances of the case prima facie do not make out any exceptional ground for grant of relief of anticipatory bail to the accused/applicant. Perusal of the bail petition and the documents attached prima-facie point towards the petitioner's active involvement and the gravity of the offence does not entitle the petitioner to bail at this stage. Consequently, as a sequel to the above discussion, the bail application is dismissed. Any observation made in this order shall

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have no effect on the merits of the case. Police record be returned. File be
consigned to the record room.

Announced: 03.07.2026

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Sapna, Stenographer Grade-I.

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