



CRM-M-38640-2025

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

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**CRM-M-38640-2025
Decided on: 24.03.2026**

Jagpreet Singh**.....Petitioner**

Versus

State of Punjab**.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH****Present: Mr. Vivek Baghla, Advocate for the petitioner.****Mr. Neeraj Madaan, Sr. DAG, Punjab****Mr. Arshdeep Singh Sivia, Advocate for the complainant.**

SANJAY VASHISTH, J.

1. Present Second petition has been filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Jagpreet Singh, aged about 45 years	0186	15.11.2024	408, 420, 467, 468, 471, 472, 473, 120-B IPC	Moti Nagar	Police Commissionerate, Ludhiana

2. FIR in the present case was registered on 15.11.2024, and the trial Court dismissed the petitioner's application for anticipatory bail on 04.12.2024. Petitioner has stated in paragraph No. 17 of the present petition that the first anticipatory bail application, i.e., CRM-M-64690-2024, was dismissed as withdrawn vide order dated 26.03.2025.



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As regards the filing of the second anticipatory bail petition, learned counsel for the petitioner has explained that the factum of deposit of the total amount of ₹2,07,61,898/- by the petitioner into the account of the complainant company could not be properly brought to the notice of the Court in the first anticipatory bail petition. Consequently, the said petition was withdrawn. However, due to an inadvertent error, counsel failed to seek permission to file a fresh petition.

3. After hearing learned counsel for the petitioner on 03.11.2025, the following was recorded:

“1. xxx

2. *Learned counsel for the petitioner, inter alia, contends that petitioner is a transporter and operates a transport firm under the name and style of M/s Bharat Indian Road Trailer Corporation at Transport Nagar, Ludhiana. Petitioner used to provide transportation services by making vehicles available to third parties for loading and unloading their goods as per their requirements. In the present case, such services were provided to the firm M/s Patanjali Parivahan Private Limited upon their request, and this facility has been extended for several years.*

3. *It is further submitted that an amount of Rs.2 lakhs was deposited in the petitioner's bank account, which has already been returned to the complainant. Therefore, custodial interrogation of the petitioner is not warranted until the allegations are established by the prosecution beyond doubt. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*



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4. *Notice of motion.*

5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *It is noticed by the Court that FIR in the present case was registered on 15.11.2024, and anticipatory bail petition filed by the petitioner was dismissed by the Court below on 04.12.2024. However, the concerned Investigating Officer has not deemed it necessary to arrest the petitioner for the reasons best known to him, and has instead, given the petitioner ample time of approximately ten months to file the present petition.*

7. *List again on 21.01.2026, to enable learned State counsel to file a status report, detailing the reasons why the Investigating Officer has not taken action at the earliest, in accordance with law, after registration of the criminal case against the accused persons.*

8. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.*

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11. A copy of this order shall also be forwarded to the concerned SSP for information and taking necessary action in the matter.”

4. Learned counsel for the petitioner contends that, apart from refunding the amount of ₹2,07,61,898/-, petitioner has already joined the investigation in compliance with the directions issued by this Court vide order dated 03.11.2025. It is thus submitted that present petition be allowed, as the petitioner is ready to join the investigation in future as well, if so required by the Investigating Officer.

5. On the other hand, learned State counsel has produced a copy of the order dated 23.03.2026 passed in CRM-M-7883-2025, whereby the anticipatory bail petition of the co-accused, Pankaj Khurana, already stands dismissed by this Court. However, by referring to paragraph No. 10 of the status report, Mr. Neeraj Madaan, Senior DAG, Punjab, has pointed out the basic distinction between the case of the co-accused, Pankaj Khurana, and present petitioner, namely that the amount of share, i.e., ₹2,07,61,898/-, retained by the petitioner has already been refunded to the bank account of the complainant company.

On instructions from SI Rajinder Pal, learned State counsel further confirms that petitioner joined the investigation on 23.12.2025 and as of now his custodial interrogation is not required.

6. On being asked by the Court as to when the said amount was paid back, i.e., whether it was prior to or after the withdrawal of the first bail petition on 26.03.2025, learned counsel for the petitioner clarified that the said fact had not been brought to his notice by the petitioner.

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In the absence of relevant averments and necessary details in the petition, learned counsel for the petitioner was compelled to withdraw the same in order to enable the filing of a fresh/present petition.

7. I have heard learned counsel for the parties and perused the paper-book.

8. Taking into consideration the totality of the circumstances, and in particular, the fact that petitioner has refunded an amount of ₹2,07,61,898/- to the account of the complainant company, and has already joined the investigation, and that custodial interrogation is no longer required at this stage, ad-interim bail order dated 03.11.2025 passed by this Court is hereby made absolute. Accordingly, present petition stands allowed.

It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of one week from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

9. Before parting with the order, this Court, noticing the negligent conduct of the petitioner in not disclosing complete facts in the petition, directs him to deposit an amount of ₹25,000/- with an old age

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home at Ludhiana within a period of one month, so that in future the petitioner remains vigilant in disclosing all necessary facts in petitions supported by affidavit.

Compliance of the aforesaid direction shall be verified by the Investigating Officer concerned after a period of one month. In case of non-compliance, it shall be open to the Investigating Officer to proceed in accordance with law.

10. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.03.2026
Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**