

JASPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

1	The date when the judgment is reserved	07.07.2026
2	The date when the judgment is pronounced	08.07.2026
3	The date when the judgment is uploaded on the website	08.07.2026
4	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment and reasons thereof.	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. PKS Phoolka, Advocate for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab

Mr. Abhishek Garg, Advocate and
Ms. Sunita Rani, Advocate for the complainant

MANISHA BATRA, J.

1. The instant petition has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) for grant of regular bail in case arising out of FIR No.20 dated 23.01.2026 registered under Sections 318(4), 336(2), 336(3), 340(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) at Police Station Canal Colony, Bathinda, District Bathinda.

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2. The aforementioned FIR has been registered on the basis of a written complaint submitted by the complainant Jasvir Yadav, an employee of CNH Industrial Capital India Private Limited alleging therein that the present petitioner alongwith his brother Harpreet Singh had availed 02 loan facilities in the sum of Rs.8,53,972/- and Rs.8,85,774/- respectively for the purpose of purchase of tractors. They had submitted documents of their identity proof like PAN card, aadhar card etc. to avail the loan facilities. The petitioner was also made a co-applicant in the loan availed by the accused Harpreet Singh. After availing the loan amount, the petitioner and the co-accused did not deposit the instalments thereof. On making inquiries, it had transpired that on the basis of false documents of identification i.e. PAN card and aadhar card by wrongly showing their address, they had availed loan facilities from other financial institutions also and had cheated them. They also misappropriated the tractors purchased after availing the loan amount. All this was done by them in connivance with co-accused Varinderjit Singh, an official of the company of the complainant.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of Learned Additional Sessions Judge, Bathinda vide order dated 07.02.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No amount of loan was ever disbursed by the complainant to him at any point of time. No document was ever submitted by him to avail any loan. The case is based on documentary evidence and all the

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requisite documents are already with the investigating agency. He is ready to join investigation. His custodial interrogation is not required. Neither any recovery is to be effected from him. It is, therefore, argued that he deserves to be extended benefit of bail.

5. Per contra, learned State counsel assisted by learned counsel for the complainant who has also placed on record certain documents and while relying upon the status report has vehemently argued that the allegations against the petitioner are serious and specific in nature. The complainant and his brother had availed loan facilities from the company of the complainant thereby executing documents undertaking to repay the same in instalments but not even a single instalment had been paid. Documents of their identity had been forged. During scrutiny of those documents variations in the date of birth as mentioned in the aadhar card and PAN card were found. Other discrepancies were also noticed. It was revealed that forged KYC documents had been furnished in connivance with one official of the financial institution. The allegations that the petitioner did not avail any loan facility are prima facie false as the tractor purchased on the basis of the said loan had been got issued by him and photograph Annexure R1 showed this fact. Learned State counsel has also placed on record Annexure R2 which is GST invoice issued by Gurkirpa Automobiles regarding sale of tractor as on 04.03.2025. The documents of loan have also been placed on record by the learned counsel for the complainant. His custodial interrogation is required for conducting proper and thorough investigation. There is no exceptional or extra-ordinary ground for grant of pre-

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arrest bail to the petitioner. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner is alleged to have duped the complainant by availing loan facility on the basis of forged documents and has not deposited any instalment thereafter. The allegations *prima facie* make out a case for commission of subject offences by the petitioner. The allegations against him are serious in nature. The case is at its nascent stage. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. It is well settled proposition of law that the powers for grant of pre-arrest bail are to be exercised by the Court in extra-ordinary and exceptional circumstances and with great caution while taking into consideration the nature of the accusation and the sentence which the conviction may entail. In the instant case, no such exceptional or extra-ordinary circumstance is, however, made out from the pleas as taken by the petitioner. For the purpose of conducting thorough and proper investigation custodial interrogation of the petitioner is must. Taking into

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consideration the above discussed facts, this Court is of the considered opinion that the petition deserves to be dismissed. Accordingly the same is dismissed.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

10. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

08.07.2026
Amit Sharma

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