



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
222

CRM-M-7339-2025 (O&M)
Date of decision: 06.03.2025

Sanjeev Kumar Kohli
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Udit Mendiratta, Advocate
for the petitioner (through video conferencing)
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.150 dated 11.12.2024 under Section 408 of IPC registered at Police Station Phase11, SAS Nagar (Mohali).

2. On 07.02.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner inter alia contends that the petitioner was working in the complainant company since 1994 and from the last 8 years, he has been performing the duty of Store Manager. Further, the audit was conducted on 08.04.2024 and no discrepancy was detected. Thereafter, the petitioner went on medical leave and the audit was conducted and shortage of articles was found. He further submits that maximum sentence under Section 408 IPC is up to 07 years and the petitioner is not involved in any other case.



Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) BNSS, 2023.

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 06.03.2025.

Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.”



3. Learned State counsel, on instructions from Inspector Gagandeep Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 07.02.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

06.03.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No