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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12849-2025
Decided on: 02.12.2025

Amarpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Chopra, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.217 dated 11.10.2024, under Sections 305, 331(3) of BNS, 2023 at PS City Rajpura, District Patiala.

2. On 07.03.2025, following order was passed:
“(i) Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amarpreet Singh, aged about 35 years	217	11.10.2024	305, 331(3) of BNS, 2023	City Rajpura	Patiala

(ii) 2. Learned counsel for the petitioner, inter alia, contends that the incident of committing of theft of an amount of Rs.90,000/- from the shop of the complainant – Jatin Verma happened on 02.10.2024 between 1.30 P.M. to 2.45 P.M.



As per the allegations in the FIR, theft was committed by some unidentified person(s). There was another FIR bearing No.89 dated 09.10.2024, under Sections 331(4), 305, 317(2) of BNS, 2023, registered at Police Station Ghanaur, in which petitioner was arrested, and it is during the custody period that he got recorded his disclosure statement about his involvement in another act of theft, wherein a sum of Rs.90,000/- has been stolen, which is the subject matter of the FIR in the present case.

(iii) Counsel for the petitioner further submits that except of the said disclosure statement, there is no other connecting evidence available with the prosecution. Therefore, solely on the basis of the alleged confessional statement, that too, by the police, petitioner cannot be cooked in the present case.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and submits that an amount of Rs.90,000/- has been deposited by the petitioner in his own bank account in Punjab National Bank, and that too, after the incident of theft dated 02.10.2024. However, he seeks some time to file status report in the matter.

(vi) List again on 01.04.2025.

(vii) In the meanwhile, arrest of the petitioner shall remain stayed.

However, the question of joining of investigation of the petitioner would be examined on the next date of hearing, after the submissions of status report by learned State counsel.

Petitioner would also clear the said situation, till next date of hearing.”

3. Subsequent thereto, status report is being filed on 10.05.2025, wherein it is explained that subsequent to the present theft committed on 02.10.2024, another FIR No. 89 dated 09.10.2024 was registered under Sections 331(4), 305, 317(2) of BNS, 2023 at Police Station Ghanaur and after being arrested on 09.10.2024, in his disclosure statement dated 11.10.2024, the petitioner admitted the committing of theft in the complainant's shop on 02.10.2024. It has further been stated in paragraph No. 7 of the status report that on 04.10.2024 i.e. after two days of the incident, the petitioner had deposited a sum of Rs. 48,000/-,



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Rs. 46,500/-, Rs. 3,500/-, Rs. 2,000/- (total Rs. 1,00,000/-) in his own bank account. Looking at the status report, learned counsel for the petitioner was directed to seek instructions as to whether the petitioner is ready to deposit an amount of Rs. 1.00 lakh in shape of FDR with the trial Court or not.

In this regard, today learned counsel for the petitioner submits that his client is not in a position to deposit the said amount in the Court, because he a labourer and not possessing any such amount. On the other hand, there is no explanation as to from where he was able to deposit the amount on 04.10.2024 and from where said amount was arranged by the petitioner i.e. Rs. 48,000/-, Rs. 46,500/-, Rs. 3,500/-, Rs. 2,000/- (total Rs. 1,00,000/-).

Though, no opinion is required to be expressed, in regard to the committing of theft, whether the petitioner is involved or not, but looking at the explanation given in the status report, and there being no satisfying explanation by the petitioner for deposit of cash amount, I do not find any substantial reason to exercise judicial discretion for extending the concession of anticipatory bail to the petitioner.

Accordingly, the petition is dismissed.

(SANJAY VASHISTH)
JUDGE

02.12.2025
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Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO