



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

105

CRM-M-20573-2025

Date of decision: 21st April, 2025

Ravi Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. DPS Joura, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 158 dated 14.07.2024 registered under Section 303(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Division 6, Ludhiana, District Ludhiana, Punjab.

2. As per the allegations, on the night of 11.07.2024, the complainant Kuldeep Singh had parked his Mahindra Bolero vehicle bearing registration No. PB-08-AV-8558 outside his house. In the next morning, at about 4:00 AM, he woke up on hearing sound of horn of his car blowing and on checking, he found his vehicle to be missing. The CCTV camera footage installed in his house revealed some persons while taking away his vehicle. After registration of FIR, investigation proceedings were initiated. The



accused Naresh Kumar, Lakhbir Singh and Sukhwinder Singh were arrested. They suffered disclosure statements to the effect that they had sold the car belonging to the complainant and stolen by them, to the present petitioner for a sum of Rs. 45,000/-. The petitioner has been nominated as an accused. Apprehending his arrest, he moved an application for pre-arrest bail before the learned Additional Sessions Judge, Ludhiana, which was dismissed vide order dated 28.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of co-accused, which cannot be considered to be admissible in evidence. He is a young student. He is ready to join the investigation. His custodial interrogation is not required. Neither any recovery is to be effected from him. Accordingly, it is urged that he deserves to be extended benefit of anticipatory bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by her that recovery of stolen car has been effected from the petitioner. He has criminal antecedents since he is involved in five other cases, four of which are relating to theft of property. No extra ordinary or sparing circumstance has been made out for the purpose of extending benefit of bail to the petitioner. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner is alleged to have purchased a car belonging to



the complainant and stolen by the co-accused from his house on the night of 11.07.2024. For conducting thorough and proper investigation in the matter, custodial interrogation of the petitioner is required. The case is at its nascent stage. No extra ordinary circumstance has been made out for granting benefit of bail to the petitioner. It is also well settled that the Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Moreso, for conducting probe as to the whereabouts of stolen car, custodial interrogation of the petitioner is required. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

21st April, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*