

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

2025:PHHC:153213



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CRM-M-28311-2025
Date of decision:06.11.2025

Sourav Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Prateek Gupta, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Sukesh Kumar Jindal, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.77, dated 09.04.2025, under Sections 316(2) and 318(4) of the BNS, registered at Police Station Civil Lines, Patiala, District Patiala.

2. The aforementioned FIR had been registered on the basis of a complaint filed by the complainant – Nitish Garg alleging that he was running a coaching institute in partnership. The petitioner had joined the institute as a teacher on 07.06.2021 and an employment agreement was executed, as per the terms of which, the petitioner was not to work with any other institute during his assignment with the institute of the complainant. Subsequently, it came to the knowledge of the complainant that the petitioner had been copying the study material of the institute and was

supplying the same to institutes of other cities, thereby causing loss to his institute. It was also revealed that the applicant along with his wife and some other persons had started running another coaching institute at Ludhiana. When he was asked to return the study material contained in a hard disc/drive and the advance amount, he started making excuses and then extending threats. After registration of the FIR, investigation proceedings were initiated and the same are underway. Apprehending his arrest, he had moved an application for grant of anticipatory bail, which was dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 12.05.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Now a settlement has been arrived at between the parties. He is ready to abide by the terms of the same and to join further investigation as and when required. His custodial interrogation is not required. Therefore, it is argued that the petition deserves to be allowed.

4. Learned State counsel and learned counsel for the complainant have affirmed the fact that the compromise has been executed between the petitioner and the complainant. The report received from the Mediation and Conciliation Centre also affirms this fact, as per which the parties have settled their dispute and have executed agreement on 19.08.2025. The petitioner undertakes to abide by the terms of the same. In view of this fact, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required nor his custodial interrogation is required. As such, a case is made out for allowing the petition. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to the

condition that the petitioner shall surrender before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal as well as surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

- 5. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.
- 6. Pending application(s), if any, shall also stands disposed of.

06.11.2025

harjeet

(MANISHA BATRA)
JUDGE

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