

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46418-2025
DECIDED ON: 24.09.2025

CHANDANPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Barjinder Singh, Advocate, for the petitioner.

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 First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Chandan, aged about 37 years	58	25.05.2025	316(5) of BNS	Cheema	Sangrur

2. Learned counsel for the petitioner *inter alia*, contends that petitioner is neither named in the FIR, nor any specific role has been attributed to him therein. Even, no offence is alleged to have been committed by the petitioner.

3. It is further submitted that in the absence of any specific allegation or assignment of role in the FIR, it cannot be presumed that there was any entrustment of property to the petitioner. Furthermore, petitioner was never an employee of the said company. His implication in the present case is solely based on the disclosure statement of his brother, who was allegedly posted as an Assistant Manager in the company. As per the said disclosure statement, petitioner is stated to be in possession

of 147 grams of gold out of the total 176.568 grams, which forms the subject matter of the complaint. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, learned Senior Deputy Advocate General, Punjab, appears on behalf of the respondent—State and submits that the disclosure statement, which forms the basis of present proceedings, has been made by none other than the main accused, Vipin Yadav, who is the real brother of the petitioner.

It is contended that such a disclosure statement cannot be doubted merely on the ground of relationship. Furthermore, it is only pursuant to this disclosure that Investigating Officer came to know about the involvement of the petitioner. Therefore, it is urged that custodial interrogation of the petitioner is necessary to ascertain the truth and to facilitate proper investigation.

6. This Court has heard the submissions advanced by learned counsel for the parties and has perused the material available on record.

7. Upon consideration, this Court finds merit in the submissions advanced by learned State counsel. At this stage, no justifiable ground is made out for grant of anticipatory bail to the petitioner in the present case. Accordingly, present petition stands **dismissed**.

(SANJAY VASHISTH)
JUDGE

24.09.2025

Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>