



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

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CRM-M No.50526 of 2025 (O&M)

Date of Decision: 21.11.2025

Anoop Kumar**.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH****Present:** Mr. Vishavjeet Singh Rishi, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Section 306 of BNS, the FIR No.106 dated 24.06.2025, has been lodged in Police Station Dugri, District Ludhaina. The petitioner is apprehending arrest in the above mentioned case, and, therefore, he has invoked the jurisdiction of this Court, vested by virtue of Section 482 of BNSS.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being on the statement of 'Ravjot Singh', hereinafter being referred to as 'complainant' only. It was stated by the complainant that he has shop of Sanitary articles known as 'Guru Nanak Bath Hut' and that on second floor of the above mentioned shop he has his residence. According to complainant, in her shop there were 5 workers, and one of whom was 'Anoop Kumar' (petitioner). The complainant has further alleged that the petitioner had been working in their shop for the last 22 years and that in the recent past it was noticed by the complainant that Sanitary items from his shop were being



stolen. According to complainant, when he made inquiry he came to know that the 'Anoop Kumar' (petitioner) was gradually stealing material from his shop, and thus, causing a huge loss.

3. It is the case of the prosecution that on the basis of above mentioned statement formal FIR of this case was lodged and the investigation taken up.

4. On behalf of respondent-State, the learned State Counsel has filed status report by way of affidavit of Commissioner of Police (South), Police Commissionerate Ludhiana. The same be taken on record.

5. Heard.

6. The learned counsel for the petitioner has contended that the petitioner has already joined investigation in view of interim protection provided by this Court by virtue of order dated 10.09.2025. According to learned counsel for the petitioner, nothing is left to be recovered from possession of the petitioner, and therefore, he is entitled for bail.

7. However, the learned State counsel has controverted the above mentioned arguments on the ground that the petitioner has been non-cooperative during the course of investigation, and that his custodial interrogation is necessary to recover the stolen articles.

8. The record has been perused carefully.

9. A perusal of the record shows that following are the relevant factors which are required to be taken into consideration for the purpose of decision of present petition:-

- i) that the offence is triable by the Court of Judicial Magistrate;
- ii) that the petitioner has already joined investigation and in the



investigation nothing concrete has come on record to justify the custodial interrogation of the petitioner;

- iii) that the trial of the case is not likely to be concluded in near future;
- iv) that detention of the petitioner in judicial lock-up is not likely to serve any purpose;
- v) that there is nothing on record to show that if released on bail, the petitioner is likely to tamper with the evidence, or influence the witnesses;
- vi) that there is nothing on record to show that if petitioner is released on bail, he will not participate/co-operate in the trial.

10. In view of above, the order dated 10.09.2025, whereby interim anticipatory bail was accorded to the petitioner, is hereby made absolute.
11. Present petition stands allowed, accordingly.

(SURYA PARTAP SINGH)
JUDGE

21.11.2025
Manoj Bhutani

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