



CRM-M-51196-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-51196-2025
Decided on: 02.12.2025

Kunal Vashisht

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sanpreet Singh Kalra, Advocate
for the petitioner.

Mr. Sukhbir Singh, DAG Punjab

Ms. Balpreet Kaur Sidhu, Advocate
for the complainant

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.136 dated 26.08.2025, under Sections 305 and 3(5) of BNS at PS S.G.N. Thermal Plant, District Bathinda.

2. On 12.09.2025, following order was passed:

“(i) Present petition has been filed by the petitioners, seeking grant of anticipatory bail in case bearing FIR No.136, dated 26.08.2025, under Section(s) 305 and 3(5) of BNS, registered at Police Station S.G.N. Thermal Plant, District Bathinda.

(ii) Learned counsel for the petitioners inter alia, contends that there is a vague allegation of stealing of the articles such as 120 grams of gold jewellery, signed blank cheque book and the cash amount of Rs.5 lacs, from the house of the



complainant. Even it is not explained in the FIR, as to when and how much area of the house was rented out by the complainant to the petitioners.

(iii) As per the allegations, rented premises was vacated in the month of June, 2025, but FIR has been registered after a period of two months i.e. on 26.08.2025. Even there is nothing against both the petitioners, who are related as mother and son that in past, their credentials have been declared doubtful. Moreover, petitioners are 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 petitioners in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and on instructions from SI Gurdarshan Singh, submits that despite calling by the complainant to give particulars and documents of the stolen articles and details of the cash amount, petitioners have never come forward to join the investigation proceedings.

(vi) Ms. Balpreet Kaur Sidhu, Advocate, puts in appearance on behalf of the complainant, and submits that only one room was rented out to the petitioners on the ground floor but they were allowed to use almost the complete area of the house. In a way, by stealing the articles and cash amount, petitioners have committed breach of trust apart committing theft of such articles.

(vii) Adjourned to 02.12.2025.

(viii) Meanwhile, the petitioners (in both the case) are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(ix) Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

(x) A photocopy of this order be placed on the file of other connected case.”

3. Learned counsel for the petitioner contends that in compliance to the order dated 12.09.2025 passed by this Court, the petitioner has joined the investigation on 03.10.2025.

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4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 03.10.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 12.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

02.12.2025

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Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES~~/NO