



CRM-M-9209-2025

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

203

CRM-M-9209-2025
Decided on: 17.02.2026

Sushant Shinde alias Sushant Vishnu Shinde

.....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. I.S. Konner Chaudhary, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG Haryana

Mr. Nikhil Chopra, Advocate and
Mr. Jatin Verma, 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.0278 dated 28.12.2024, under Sections 316(2), 318(4) and 61(2) of the BNS at PS Kotwali, Patiala.

2. The allegation of the complainant-Parveen Kumar is that accused persons namely Sushant Shinde @ Sushant Vishnu Shinde (petitioner herein) (ii) Ganesh (iii) Dinesh Singh Bawa and (iv) Amit fraudulently took away 106 grams 300 mg gold, valuing Rs. 8,61,000/- and is not returning the same.

3. Learned counsel for the petitioner argues that in District Patiala there are only three experts, who can determine the standard of gold. The petitioner is one of those experts. There is constant pressure by the complainant and few more

**CRM-M-9209-2025****2**

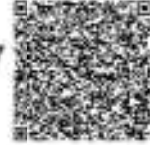
other persons to not to have a separate business and to join them in the same business of gold. The petitioner was not willing to join with them and, therefore, to pressurize him, a method of registration of criminal case has been adopted by the complainant. Further argues that giving and taking back of the gold ornaments, was a practice in general during the course of running the business and if there is any grievance to the complainant, same is of the civil nature and he may seek remedy through an appropriate proceeding, but registration of FIR is nothing but an abuse of the process of law.

To counter allegations, learned counsel for the petitioner submits that complainant has attempted to highlight the value of gold ornaments handed over to Sushant Shinde alias Sushant Vishnu Shinde through bill dated 23.09.2024 and 07.10.2024 (Annexure R-2), as in the said bill the weight of gold is mentioned thereby valuing the said gold to be of Rs. 1,53,000/- and Rs. 7,08,000/-. He further submits that infact the said bills are fake as neither there is any GST number nor PIN number, even the signatures of the petitioner are not appearing on the said copy of the bill. However, if the value of the gold on the date which has been mentioned in the bill (Annexure R-2), is noticed, same is not in consonance with the rate prevailing on that particular day. Thus, counsel prays that primarily the dispute being of civil nature, petitioner is ready to join investigation and fully cooperate.

4. On the other hand, learned State counsel while filing the fresh status report submits that there is one more complaint pending against the petitioner, therefore, he is habitual in doing such kinds.

5. Learned counsel for the complainant also refers one instance i.e. FIR

No. 230, dated 18.11.2023 under Sections 406, 420, 120-B IPC at Police Station

**CRM-M-9209-2025****3**

Kotwali, Patiala and submits that in the said case also petitioner is faced with the similar allegation.

5. Heard learned counsel for the parties and perused the record.
6. Considering the submissions addressed by learned counsel for the parties I do find that petitioner and respondent No. 2 – complainant were already in the business transactions and that is obvious from the bills dated 23.09.2024 and 07.10.2024 (Annexure R-2), which have been placed on record by none else than the complainant himself on record of the present petition. Therefore, in the present proceedings, it would not be appropriate to make comments over the subject matter whether the criminal case is made out or not. However, it is left over the trial Court to determine. It is also noticed on 10.03.2025, this Court had asked the petitioner to join investigation and thereupon said interim concession is continuing till date. Even in the order dated 29.09.2025, he was again directed to join investigation before the Investigating Officer in terms of the provisions of Section 482(2) of BBS.
7. Since, petitioner has already joined the investigation on 14.11.2025 and custodial interrogation is no more required; ad-interim bail order dated 10.03.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.
8. 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.
9. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within



CRM-M-9209-2025

a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

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

17.02.2026
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO