



CRM-M-11854-2026 (O&M) -1-

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

119

**CRM-M-11854-2026
Decided on: 09.03.2026**

KULWANT RAI

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483(3) of BNSS, 2023 seeking cancellation of anticipatory bail granted to respondent No.2 vide order dated 17.11.2025 passed by the Court of learned Additional Sessions Judge, SBS Nagar, in case bearing FIR No.23 dated 27.04.2016, under Sections 406, 420 IPC, 1860 registered at Police Station Behram, District Shaheed Bhagat Singh Nagar.

2. Learned counsel for the petitioner contended respondent No.2 has been granted the concession of anticipatory bail vide order dated 17.11.2025 (Annexure P-5) passed by the Court of learned Additional Sessions Judge, SBS Nagar. He prayed for cancellation of anticipatory bail of accused-respondent No.2 on the ground that respondent No.2 was declared proclaimed offender vide order dated



08.10.2016; the same was set aside by a Coordinate Bench of this Court vide order dated 04.11.2025 passed in CRM-M-54154-2025 (Annexure P-2); thereafter, respondent No.2 approached the learned trial Court seeking anticipatory bail on 12.11.2025 and notice was issued for 17.11.2025; on 17.11.2025, SI suffered statement that respondent No.2 had already joined the investigation and was not required for custodial interrogation; by way of RTI application, the petitioner got to know that respondent No.2 joined the investigation on 06.11.2025 (Annexure P-6); however, no directions were issued to the petitioner to join the investigation and the learned Court below has allowed the bail application of accused-respondent No.2 simply on the statement of the Investigating Officer that accused-respondent no.2 has joined the investigation.

4. On the other hand, learned counsel for the State submits that on the statement of the Investigating Officer concerned that respondent no.2 has joined the investigation and the trial Court has granted the concession of anticipatory bail to the accused-respondent No.2 as his custodial interrogation was not required for any purpose.

5. Heard.

6. Keeping in view the contentions of learned counsel for both the parties and the fact that the Investigating Officer (IO) concerned confirmed that respondent no. 2 has joined the investigation and nothing has been brought on record or brought to the notice of this Court which



CRM-M-11854-2026 (O&M) -3-

would indicate that the accused-respondent No.2 has abused the concession of anticipatory bail granted to him, hence, this Court does not find any merit in the present petition and the same is hereby dismissed.

7. Nothing observed herein shall be construed as an expression of opinion by this Court lest it may prejudice the trial.

(SUBHAS MEHLA)
JUDGE

09.03.2026

Sonia Puri

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