

CRM-M-14421-2026 (O&M)

2026.PHHC:069455



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109

CRM-M-14421-2026 (O&M)

Date of decision: 20.04.2026

VIKRAM

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Sant Pal Sidhu, Sr. Advocate with
Mr. Deepdaman Singh, Advocate for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Ms. Sidhi Bansal, Advocate for the complainant.

RUPINDERJIT CHAHAL, J. (ORAL)

1. The present petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail in case FIR No.107 dated 28.02.2026 registered under Sections 318(3), 318(4), 61(2) of BNS, 2023 at Police Station Zirakpur, District SAS Nagar, Punjab (Annexure P-1).

2. Brief facts of the case are that the petitioner was an employee of the complainant and was authorized only to get sale deeds registered on behalf of the company upon valid authorization. However, he allegedly got registered sale deed No. 2024-25/13/1/16511 in respect of Flat No. 11D, situated at Skyler Homes, Zirakpur, in favour of Shiv Kumar and Neelam without any authority.

3. Learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said incident. He submits that the petitioner had acted



pursuant to the authorization issued by the complainant party and got the sale deed registered in accordance therewith. He further submits that during inquiry, the co-accused appeared before the police and stated that the sale deed was registered only after the cheques had been handed over, and that Shiv Kumar was also an employee of the complainant. It is contended that owing to a dispute between the complainant and Shiv Kumar, the present FIR has been deliberately lodged. Since the matter rests on documentary evidence, which are already in possession of the complainant or the investigating agency, hence nothing is to be recovered from the petitioner. He further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Thus, it is prayed that the present petition be allowed.

4. Learned State counsel opposes the prayer for anticipatory bail and submits that the petitioner got the sale deed registered in favour of private persons without any valid authority, thereby causing wrongful loss to the complainant company. He contends that the resolution relied upon by the petitioner is a matter of investigation and its genuineness is yet to be verified. He further submits that serious allegations of cheating and forgery are involved in the present FIR and custodial interrogation of the petitioner is required to unearth the true facts and recover relevant records. Accordingly, no ground for grant of anticipatory bail is made out. Hence, he prays for dismissal of the present appeal.

5. Learned counsel for the complainant adopts the submission made by learned State counsel and further submits that the petitioner has already admitted his active role in the crime before the investigating agency



and had caused huge loss to the complainant in connivance with the co-accused. Hence, she prays that the present petition be dismissed.

6. I have heard learned counsel for the parties and perused the record. The allegations against the petitioner are serious in nature. As per the prosecution case, the petitioner, being an employee of the complainant company, was authorized only to get sale deeds registered on behalf of the company, however, he allegedly misused the said authority and got the sale deed in question registered in favour of private persons without any valid authorization, thereby causing wrongful loss to the complainant. The plea raised by the petitioner regarding validity of the authorization/resolution and the circumstances under which the sale deed came to be executed are matters requiring thorough investigation. The allegations also indicate possible connivance with co-accused persons and involve offences of cheating and forgery. In such circumstances, custodial interrogation of the petitioner appears necessary for fair and effective investigation and to unearth the true facts as well as to recover relevant records/documents. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than



questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

7. Considering the gravity of allegations and the role attributed to the petitioner, this Court does not find it to be a fit case for grant of anticipatory bail. Accordingly, the present petition is dismissed.

8. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

9. Pending miscellaneous application(s), if any, stand(s) disposed of, accordingly.

20.04.2026
Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No