



CRM-M-15748-2026 (O&M)

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

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CRM-M-15748-2026 (O&M)

Date of decision:17.04.2026

Ramesh Kumar @ Ramesh Kumar Goyal

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashok Singla, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.44 dated 04.04.2025, registered at Police Station Sirhind, District Fatehgarh Sahib, under Sections 318(4), 338, 336(3), 340(2), 61 of BNS (corresponding to Sections 420, 467, 468, 471 and 120A and 120B IPC) and off ence under Sections 316(4), 318, 61(2) of BNS (corresponding to Sections 408, 415, 417, 418, 420, 120-B IPC) and Sections 13(1)(b) and 13(2) of Prevention of Corruption Act added later on.

2. Learned counsel submits that the petitioner, Senior Accountant, was assigned duties of the post of BDPO and had never signed the cheques issued in favour of different firms as mentioned in para 5 of the status report nor received



any message regarding the same on his mobile phone. There were some amounts during the tenure of the previous BDPO also, wherein similar cheques were issued and the transactions were made and by the present complainant as well, thus, prays that he be granted anticipatory bail.

3. Learned State counsel, on the other hand, has drawn the attention of this Court to the mobile number of the petitioner on which the intimation regarding clearance of the cheques was received, it being the same as mentioned in memo of parties of this petition, to be his own and the same number is also on the original cheques, the same his signatures thereon. Further that, in the tabulated details which have been given, the cheques were issued based on resolutions and on some dates without there being any on a few. Records of the Gram Panchayat are not available and therefore his custodial interrogation is required to ascertain the *modus operandi* of usurping the Government funds. The petitioner is involved in one more case under the Prevention of Corruption Act, 1988, wherein he was caught red handed in a trap case, accepting the bribe amount and another under IPC, thus, he is a habitual offender. There is an apprehension that he can tamper with the evidence or influence the witnesses as also flight risk.

4. Heard.

5. It would be apposite to refer to the status report dated 08.04.2026,



relevant paras whereof read thus:

“5. That the petitioner remained as BDPO during the period of 07.11.2022 to 10.07.2024 and alleged embezzlement of approximately Rs. 19 crores occurred during his tenure and out of those 19 crores the cheques amounting to Rs. 10 crores are in the possession of the Vigilance Department and the remaining cheques amounting to Rs. 9 crores are yet to be recovered from the different Banks and all 131 cheques were issued under his signatures primarily connecting him with the present offence. It would be relevant to mention here that as per rules, any amount above Rs. 25,000/- has to be signed by the BDPO concerned and therefore signatures of the petitioner were appended over the above said cheques.

Sr no	Cheque No.	Cheque Date	Cheque Passing Date	Amount	resolution Y/N	MOB. USED FOR CONFORMATION
1	177	02-01-2023	02-02-2023	2,30,454	yes	94631-93749
2	178	02-01-2023	02-02-2023	1,50,000	yes	94631-93749
3	180	04-01-2023	02-02-2023	1,50,000	yes	94631-93749
4	179	04-01-2023	02-02-2023	8,80,000	yes	94631-93749
5	176	02-01-2023	02-02-2023	659200	yes	94631-93749
6	243	09-02-2023	15/02/2023	24,76,000	yes	94631-93749
7	241	09-02-2023	15/02/2023	23,97,000	yes	94631-93749
8	246	09-02-2023	15/02/2023	29,51,000	yes	94631-93749
9	245	09-02-2023	15/02/2023	32,61,000	yes	94631-93749
10	186	13/02/2023	20/02/2023	2,30,000	no	94631-93749
11	184	06-02-2023	20/02/2023	1,50,000	no	94631-93749
12	185	06-02-2023	20/02/2023	1,50,000	no	94631-93749
13	181	06-02-2023	20/02/2023	5,17,000	no	94631-93749
14	249	06-02-2023	21/02/2023	23,70,000	no	Nazar Superdent
15	253	06-02-2023	21/02/2023	17,91,000	no	Nazar Superdent
16	251	06-02-2023	21/02/2023	19,71,000	no	Nazar Superdent
17	250	06-02-2023	21/02/2023	21,51,000	no	Nazar Superdent
18	187	20/2/2023	21/02/2023	2,33,500	no	Nazar Superdent
19	188	20/02/2023	21/02/2023	1,00,000	no	no mobile number
20	191	22/02/2023	22/02/2023	4,00,000	yes	94631-93749
21	248	06-02-2023	09-03-2023	17,70,000	no	94631-93749
22	254	06-03-2023	09-03-2023	29,97,700	no	94631-93749
23	252	06-03-2023	09-03-2023	30,61,400	no	no mobile number
24	256	06-03-2023	09-03-2023	27,71,700	no	no mobile number
25	192	06-03-2023	09-03-2023	2,84,294	no	no mobile number
26	195	06-03-2023	09-03-2023	23,600	no	no mobile number
27	196	06-03-2023	09-03-2023	1,02,000	no	no mobile number
28	194	06-03-2023	13/03/2023	1,36,000	no	Ramesh(by Shweta)
29	247	06-03-2023	13/03/2023	32,50,000	no	Ramesh(by Shweta)



30	257	16/03/2023	20/03/2023	21,00,300	no	94631-93749
31	258	16/03/2023	20/03/2023	23,00,900	no	94631-93749
32	198	16/03/2023	20/03/2023	1,35,996	no	94631-93749(by Suman)
33	197	16/03/2023	20/03/2023	5,46,000	no	94631-93749
34	200	16/03/2023	20/03/2023	69,550	no	94631-93749
35	199	16/03/2023	20/03/2023	5,18,947	no	94631-93749
36	204	27/03/2023	29/03/2023	85,810	no	Ramesh(Shweta)
37	364	27/03/2023	29/03/2023	3,54,470	no	Ramesh(Shweta)
38	201	16/03/2023	29/03/2023	1,00,000	no	Ramesh(Shweta)
39	202	16/03/2023	29/03/2023	20,000	no	Ramesh(Shweta)
40	362	27/03/2023	29/03/2023	8,76,000	no	no mobile number
41	259	16/03/2023	29/03/2023	20,00,200	no	Ramesh(Shweta)
42	260	16/03/2023	29/03/2023	19,00,700	no	Ramesh(Shweta)
43	363	27/03/2023	29/03/2023	150000	no	no mobile number
44	365	28/03/2023	7/04/2023	2,71,992	yes	94631-93749(by Suman)
45	410	28/03/2023	7/04/2023	21,97,000	no	Ramesh(by Suman)
46	409	28/03/2023	7/04/2023	23,61,000	no	Ramesh(by Suman)
47	369	10-04-2023	18/04/2023	1,58,890	yes	94631-93749
48	413	10-04-2023	18/04/2023	23,61,700	no	94631-93749
49	368	10-04-2023	18/04/2023	7,90,520	yes	94631-93749
50	415	10-04-2023	18/04/2023	24,51,900	no	no mobile number
51	414	10-04-2023	18/04/2023	21,97,600	no	94631-93749
52	416	10-04-2023	18/04/2023	19,70,100	no	94631-93749
53	412	10-04-2023	18/04/2023	23,71,100	no	94631-93749
54	370	10-04-2023	18/04/2023	5,38,762	no	94631-93749
55	411	10-04-2023	27/04/2023	24,51,300	no	93171-00076
56	417	10-04-2023	27/04/2023	23,91,900	no	93171-00076(suman)
57	374	28-04-2023	09-05-2023	9,80,400	no	Ramesh
58	375	28-04-2023	09-05-2023	17,76,750	no	Ramesh
59	373	28-04-2023	09-05-2023	2,03,994	no	Ramesh
60	FD	10-05-2023	11-05-2023	100936986.3		
61	420	28/04/2023	11-05-2023	30,61,500	no	Ramesh(Shweta)
62	423	28/04/2023	11-05-2023	29,76,750	no	Ramesh(Shweta)
63	372	28/04/2023	11-05-2023	13,73,280	no	Ramesh(Shweta)
64	376	28/04/2023	11-05-2023	21,73,100	no	Ramesh(Shweta)
65	422	28/04/2023	11-05-2023	30,71,400	no	Ramesh(Shweta)
66	424	28/04/2023	11-05-2023	25,80,400	no	Ramesh(Shweta)
67	371	27/04/2023	11-05-2023	1,50,000	no	no mob. number
68	421	28/04/2023	11-05-2023	23,73,280	no	Ramesh(Shweta)
69	378	15/05/2023	22/05/2023	1,47,210	no	no mob number only ramesh name
70	380	15/05/2023	22/05/2023	3,23,000	no	Ramesh(Shweta)
71	425	15/05/2023	22/05/2023	12,47,100	no	Ramesh(Shweta)
72	426	15/05/2023	22/05/2023	13,76,750	no	Ramesh(Shweta)
73	379	15/05/2023	24/05/2023	1,50,000	no	no mobile number



74	381	17/05/2023	07-06-2023	4,24,468	no	Ramesh(Suman)
75	384	17/05/2023	07-06-2023	2,23,500	no	Ramesh(Suman)
76	382	17/05/2023	07-06-2023	4,71,250	no	Ramesh(Suman)
77	386	18/05/2023	07-06-2023	4,83,000	no	Ramesh(Suman)
78	436	19/05/2023	07-06-2023	21,52,000	no	Ramesh(Suman)
79	387	19/05/2023	07-06-2023	5,43,750	no	Ramesh(Suman)
80	385	18/05/2023	07-06-2023	5,52,000	no	Ramesh(Suman)
81	435	18/05/2023	07-06-2023	23,78,500	no	Ramesh(Suman)
82	437	18/05/2023	07-06-2023	19,71,250	no	Ramesh(Suman)
83	FD	07-06-2023	07-06-2023	101491780.8		
84	388	18/05/2023	14/06/2023	50,000	no	Ramesh(Suman)
85	389	19/05/2023	14/06/2023	50,000	no	Ramesh(Suman)
86	429	18/05/2023	14/06/2023	23,97,000	no	Ramesh(Suman)
87	430	19/05/2023	14/06/2023	25,61,000	no	Ramesh(Shweta)
88	392	03-07-2023	12-07-2023	90,820	no	Ramesh(Shweta)
89	394	03-07-2023	12-07-2023	2,05,200	no	Ramesh(Shweta)
90	391	03-07-2023	12-07-2023	15,718	no	no mobile number
91	428	03-07-2023	12-07-2023	13,80,820	no	no mobile number
92	433	03-07-2023	12-07-2023	15,61,200	no	no mobile number
93	395	03-07-2023	12-07-2023	1,02,234	no	no mobile number
94	399	11-07-2023	14/07/2023	2,005,47	yes	Ramesh(Suman)
95	400	11-07-2023	14/07/2023	1813470	yes	Ramesh(Suman)
96	427	11-07-2023	14/07/2023	17,70,547	yes	no mobile number
97	401	13-07-2023	14/07/2023	2,14,000	yes	Ramesh(Suman)
98	398	11-07-2023	14/07/2023	2,00,000	yes	Ramesh(Suman)
99	464	17/07/2023	03-08-2023	8,73,735	no	Ramesh
100	465	20/07/2023	03-08-2023	6,53,370	no	Ramesh
101	461	14/07/2023	03-08-2023	9,60,320	no	Ramesh
102	466	20/07/2023	03-08-2023	4,71,140	no	Ramesh
103	462	14/07/2023	03-08-2023	9,73,824	no	Ramesh
104	463	17/07/2023	03-08-2023	10,10,542	no	Ramesh
105	467	17/07/2023	04-08-2023	6,53,370	no	no mobile number
106	468	20/07/2023	04-08-2023	4,71,140	no	no mobile number
107	473	15/07/2023	07-08-2023	4,97,181	no	Ramesh
108	469	15/07/2023	07-08-2023	6,83,988	no	Ramesh
109	474	15/07/2023	07-08-2023	530275	no	Ramesh
110	475	15/07/2023	07-08-2023	1250461	no	Ramesh
111	479	09-08-2023	19/09/2023	1,70,000	no	no mobile number
112	480	09-08-2023	19/09/2023	1,08,000	no	no mobile number
113	482	09-11-2023	19/09/2023	1,35,000	no	no mobile number
114	483	09-11-2023	19/09/2025	2,50,000	no	no mobile number
115	477	09-08-2023	20/09/2023	1,75,000	no	no mobile number
116	487	09-12-2023	20/09/2023	5,00,000	no	no mobile number
117	488	09-12-2023	20/09/2023	5,00,000	no	no mobile number
118	449	09-12-2023	20/09/2023	27,52,100	no	no mobile number
119	489	09-12-2023	20/09/2023	1,00,000	no	no mobile number



120	478	09-08-2023	20/09/2023	3,50,000	no	no mobile number
121	492	15/09/2023	27/10/2023	30,000	no	no mobile number
122	493	15/09/2023	27/10/2023	30,000	no	no mobile number
123	491	15/09/2023	27/10/2023	30,000	no	no mobile number
124	494	15/09/2023	27/10/2023	30,000	no	no mobile number
125	495	15/09/2023	27/10/2023	30,000	no	no mobile number
126	498	15/09/2023	27/10/2023	30,000	no	no mobile number
127	508	14/02/2024	01-03-2024	50,00,000	NO	no mobile number
128	509	28/02/2024	03-07-2024	96,00,000	yes	no mobile number
129	711	02-05-2025	26/03/2025	20,000	no	no mobile number
130	712	27/02/2025	02-04-2025	24,000	no	no mobile number
131	383	17-05-2023	07-06 -2023	4,78,500	no	Ramesh(Suman)

”

6. Hon'ble the Supreme Court in **Sumitha Pradeep vs. Arun Kumar C.K.**, 2022 SCC OnLine SC 1529, observed that requirement of custodial interrogation is not the only ground to decide the grant of anticipatory bail. The relevant para reads thus:

“In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds



to decline anticipatory bail. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

7. In **Jai Parkash Singh vs. State of Bihar** (2012) 4 SCC 379, Hon’ble the Supreme Court while relying on the judgments in the cases of **D.K. Ganesh Babu vs. P.T Manokaran** (2007) 4 SCC 434, **State of Maharashtra vs. Mohd. Sajid Husain Mohd. S. Husain**, (2008) 1 SCC 213, and **Union of India vs. Padam Narain Aggarwal** (2008) 13 SCC 305, held thus:

“6. We have considered the rival submissions made by the learned counsel appearing for the parties and perused the record.

7. The provisions of Section 438 Cr.P.C. lay down guidelines for considering the anticipatory bail application, which read as under:

“438. Direction for grant of bail to person apprehending arrest.-

(1) Where any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section that in the event of such arrest, he shall be released on bail; and that court may, after taking into consideration, inter alia, the following factors, namely:-

(i) The nature and gravity of the accusation;

(ii) The antecedents of the applicant including the fact as to whether he has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(iii) the possibility of the applicant to flee from justice; and

(iv) where the accusation has been made with the object of injuring or humiliating the applicant by having him so arrested, either reject the application forthwith or issue an interim order for the grant of anticipatory bail.”

XX XX XX



8. In view of the above, it is mandatory on the part of the court to ensure the compliance of the pre-requisite conditions for grant of anticipatory bail including the nature and gravity of the accusation.

XX XX XX

13. There is no substantial difference between Sections 438 and 439 Cr.P.C. so far as appreciation of the case as to whether or not a bail is to be granted, is concerned. However, neither anticipatory bail nor regular bail can be granted as a matter of rule. The anticipatory bail being an extraordinary privilege should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after proper application of mind to decide whether it is a fit case for grant of anticipatory bail.

XX XX XX

21. In the facts and circumstances of this case, we are of the considered opinion that it was not a fit case for grant of anticipatory bail. The High Court ought to have exercised its extraordinary jurisdiction following the parameters laid down by this Court in above referred to judicial pronouncements, considering the nature and gravity of the offence and as the FIR had been lodged spontaneously, its veracity is reliable. The High Court has very lightly brushed aside the fact that FIR had been lodged spontaneously and further did not record any reason as how the pre-requisite conditions incorporated in the statutory provision itself stood fulfilled. Nor did the court consider as to whether custodial interrogation was required.”

8. Hon’ble the Supreme Court in the case of **P. Chidambaram vs. Directorate of Enforcement**, (2019) 9 SCC 24, has observed that, “Ordinarily, arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. Power under Section 438 CrPC is an extraordinary power and the same has to be exercised sparingly. The privilege of



the pre-arrest bail should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after application of mind as to the nature and gravity of the accusation; possibility of applicant fleeing justice and other factors to decide whether it is a fit case for grant of anticipatory bail. Grant of anticipatory bail to some extent interferes in the sphere of investigation of an offence and hence, the court must be circumspect while exercising such power for grant of anticipatory bail. Anticipatory bail is not to be granted as a matter of rule and it has to be granted only when the court is convinced that exceptional circumstances exist to resort to that extraordinary remedy.”

9. Even otherwise, the petitioner has not been able to show absence of a *prima facie* offence so as to warrant the extraordinary relief of anticipatory bail, as held by Hon’ble the Supreme Court in **Salochna Pardi vs. State of Madhya Pradesh and another**, SLP CrI. No. 18200-2025, vide judgment dated 06.01.2026.

10. It is the bounden duty of the Court to take into consideration all the facts and circumstances and after its utmost satisfaction, grant anticipatory bail only in exceptional circumstances, where all the factors and parameters are met and there is no possibility of the accused interfering in the path of justice.



11. *Prima facie*, the allegations against the petitioner are grave and attract serious concern, particularly in light of the position of public trust held by him as a BDPO. The same discloses commission of serious offences involving cheating, criminal breach of trust and misappropriation of government funds of Rs. 19 Crores meant for public welfare, as detailed in para No.5 of the status report reproduced hereinabove. It has come to light that the mobile numbers on which the intimidation regarding the cheques were sent and the one mentioned in the memo of the parties to be that of the petitioner, are identical, therefore he cannot now plead ignorance. Considering the gravity and nature of the same, his custodial interrogation is necessary for a fair and effective investigation, particularly for recovery of the misappropriated proceeds and for unearthing the complete *modus operandi* as well as the money trail. Moreover, co-accused, the Sarpanch, who is similarly circumstanced had filed an anticipatory bail before this Court, wherein liberty was granted to him to first approach the Court of Sessions vide order dated 16.03.2026 in CRM-M-33134-2025, which has subsequently been dismissed on 01.04.2026. There exists a reasonable apprehension that he may influence witnesses or tamper with the evidence if granted the concession of anticipatory bail. The petitioner is stated to be involved in one more case under the Prevention of Corruption Act, 1988. Accordingly, this Court does not find it a fit case to grant



the concession of anticipatory bail to him, as the element of criminality cannot be ruled out and permitting him to join the investigation under the protective umbrella of pre-arrest bail is likely to hamper a thorough and effective investigation and impede the unravelling of the larger conspiracy.

12. In view of the foregoing discussion, the present petition is hereby dismissed, being devoid of merit.

13. The observations made hereinabove are meant only for the purpose of deciding the present petition and in no manner are to be construed as an expression of opinion on the merits of the case.

(AMAN CHAUDHARY)
JUDGE

17.04.2026
dinesh

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