



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

CRM-M-15448-2026
Date of decision: 20.03.2026

HARMESH KUMAR

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Kashmir Singh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the petitioners in case bearing FIR No.365 dated 27.12.2024 registered under Sections 306 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Hoshiarpur, District Hoshiarpur.

2. Allegations against the present petitioner are that he along with co-accused committed theft at the shop of their employer i.e. complainant.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case as he demanded his salary from the complainant, which was overdue; the case of the petitioner is on parity with co-accused, namely, Davinder Kumar and Deepak Kumar, who have been granted the concession of anticipatory bail vide orders dated 11.03.2026 and 07.05.2025 passed by a Co-ordinate Bench of this Court in **CRM-M Nos.72772 & 6718 of 2025** (Annexures P-3 and P-4) respectively; the petitioner is not required for any recovery purpose or custodial interrogation;



he is not involved in any other case, except the present one; the petitioner is ready to join the investigation and co-operate with the investigating agency. Hence, learned counsel prayed for relief of anticipatory bail to the petitioner.

4. Learned State counsel appeared on advance notice and admitted the fact that the case of the petitioner is on similar footing with co-accused, namely, Davinder Kumar and Deepak Kumar, who have been granted the concession of anticipatory bail vide orders dated 11.03.2026 and 07.05.2025 passed by a Co-ordinate Bench of this Court.

5. Heard.

6. Keeping in view the facts and circumstances of the case and contentions of learned counsel for the parties that the case of the petitioner is on parity with co-accused, namely, Davinder Kumar and Deepak Kumar, who have been granted the concession of anticipatory bail vide orders dated 11.03.2026 and 07.05.2025 passed by a Co-ordinate Bench of this Court in **CRM-M Nos.72772 & 6718 of 2025** (Annexures P-3 and P-4) respectively, the present petition is allowed and the petitioner is directed to join the investigation as and when called upon to do so. In the event of her arrest, the petitioner shall be admitted to bail on already furnished bail/surety bonds and shall also abide by the conditions as envisaged under Section 482(2) of the BNSS (*erstwhile Section 438(2) Cr.P.C.*).

7. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case.

March 20, 2026
manisha

(SUBHAS MEHLA)
JUDGE

- (i) Whether speaking/reasoned
- (ii) Whether reportable

Yes/No
Yes/No