



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-15777-2026 (O&M)
Date of Decision:- 23.03.2026

Vipan Kumar ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Paras Jagga, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.52 dated 02.03.2026, registered under Sections 303(2), 317(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, at Police Station Haibowal, District Police Commissionerate Ludhiana.
2. Learned counsel for the petitioner contended that the present petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused, which is inadmissible in evidence; except the disclosure statement, no material is available with the prosecution to prove complicity of petitioner in the commission of offence. The petitioner has clean and clear antecedents and is ready and willing to join the investigation, hence, learned counsel prayed for grant of anticipatory bail to the petitioner.
3. Notice of motion.



4. Mr. Anup Singh, learned AAG, Punjab, accepted notice on behalf of the respondent-State and opposed the prayer made by learned counsel for the petitioner by submitting that, on the basis of secret information, the petitioner was initially identified as being involved in the sale of stolen ACs. During a raid, four stolen ACs were recovered. Upon interrogation, co-accused named the present petitioner and further disclosed that other stolen ACs were within petitioner's knowledge and could be recovered at petitioner's instance. It is further contended that the petitioner has criminal antecedents and is also involved in seven other cases under the Excise Act. Learned State Counsel argued that the custodial interrogation of the petitioner is necessary to unearth the true facts of the case. Accordingly, a prayer was made for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and contentions of learned counsel for the petitioner as well as learned State counsel, it is evident that the name of the petitioner surfaced in the initial secret information as being involved in a racket dealing in stolen ACs. During the raid, four ACs were recovered and taken into police possession. The co-accused has also nominated the petitioner as an accomplice and stated that the remaining stolen property is in his possession and can be recovered at his instance. It is further submitted that the petitioner is having criminal antecedents and he is involved in seven other cases under the Excise Act. In these circumstances, custodial interrogation of the petitioner is considered necessary to unearth the true facts of the case, hence, this Court does not find any merit in the present petition seeking anticipatory bail of the petitioner, as anticipatory bail is a discretionary relief, which can be granted only in extra-



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ordinary circumstances, only when it would not impede investigation or progress of the case.

7. Hon’ble Supreme Court has emphasised the importance of custodial interrogation in case titled as ‘**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 63806**’ decided on 03.08.1997, by holding that many useful informations and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

8. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

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

23.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No