



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

Sr.No.111

**CRM-M-16165-2026
Decided on : 08.04.2026**

Sukhchain Bohat @ Commando

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Rajeev K.Kapila, Advocate
for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

Sh. Harnamanpreet Singh, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0156 dated 22.09.2025, registered under Sections 420, 406 IPC, at Police Station Nangal, District Roopnagar.

2. Brief facts, as per the prosecution case, are that the petitioner cheated and misused approximately an amount of Rs.54.5 lacs alongwith other articles and the entire record of Sri Bhagwan Valmik Satsang Dharam Sabha. Hence the present FIR.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further

submits that the allegations levelled against the petitioner are false and he



has no concern with the said offence. Learned counsel contends that the petitioner was the President of the said Sabha and some of the complainants used to create troubles and interfered in the daily management affairs of the said Sabha. On 03.03.2025, in the meeting of the said Sabha, they abused and manhandled the petitioner and the petitioner moved a representation before the police about the said incident but no action was taken against the said persons. He further contends that the police instead of taking action against the said persons, registered the present FIR against the petitioner being a counterblast to complaints of the petitioner. He contends that the petitioner was the president of the said Sabha in the year 2020 and afterwards also remained as such but during the period from 2020 till 2025, there was no complaint against him. Learned counsel for the petitioner contends that the petitioner has clean antecedents as he is not involved in any other case and he is ready and willing to join the investigation as and when called upon to do so by the Investigating Agency and shall fully cooperate with the investigation. On these grounds, it is prayed that the present petition be allowed.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by learned Additional Sessions Judge, Rupnagar vide order dated 16.03.2026.

5. On the other hand, learned State counsel has opposed the prayer for grant of anticipatory bail by submitting that the allegations levelled against the petitioner are serious in nature.

6. Sh. Harnamanpreet Singh, Advocate, has appeared and filed power of attorney on behalf of the complainant, which is taken on record.



He, while opposing the petition for anticipatory bail, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

7. I have heard the learned counsel for the parties and perused the record carefully.

8. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature. As per the case of the prosecution, the petitioner has committed cheating and criminal breach of trust in respect of an amount of Rs.54.5 lacs alongwith silver utensils and the entire record of Sri Bhagwan Valmik Satsang Dharam Sabha. The investigation prima facie indicates involvement of petitioner in the crime and there is requirement of deeper probe. This Court is sanguine of the fact that while considering the petition for anticipatory bail, it is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine and seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

9. 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."

10. The Hon'ble Supreme Court, in case titled as '**P. Chidambaram v. Directorate of Enforcement**', (2019) 9 SCC 24, while dealing with economic offences, has held that the power of anticipatory bail should be sparingly exercised in economic offences. The relevant portion of the judgment is reproduced as under:-

"77. After referring to Siddharam Satlingappa Mhetre and other judgments and observing that anticipatory bail can be granted only in exceptional circumstances, in Jai Prakash Singh v. State of Bihar, the Supreme Court held as under: (SCC p.386, para 19)

"19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while



granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has falsely been enroled in the crime and would not misuse his liberty”.

Economic Offences

78. Power under Section 438 CrPC being an extraordinary remedy, has to be exercised sparingly; more so, in cases of economic offences. Economic offences stand as a different class as they affect the economic fabric of the society. In Directorate of Enforcement v. Ashok Kumar Jain, it was held that in economic offences, the accuse is not entitled to anticipatory bail.

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83. Grant of anticipatory bail at the stage of investigation may frustrate the investigating agency in interrogating the accused and in collecting the useful information and also the materials which might have been concealed. Success in such interrogation would elude if the accused knows that he is protected by the order of the court. Grant of anticipatory bail, particularly in economic offences would definitely hamper the effective investigation. Having regard to the materials said to have been collected by the respondent Enforcement Directorate and considering the stage of the investigation, we are of the view that it is not a fit case to grant anticipatory bail”.

11. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.



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

08.04.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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