



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

211 CRM-M-17183-2026 (O&M).
Date of Decision: 05.05.2026.

Rakesh Chandra NaugainPetitioner.
VERSUS
State of PunjabRespondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Sukhmanjot Kaur, Advocate for
Mr. Amit Arora, Advocate for the petitioner.

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Rakesh Chandra Naugain	32	11.2.2026	408 IPC	Sadar, Amritsar	Amritsar

2. On 30.03.2026, following order was passed:-

- “1. xxx
2. Complainant Jatinder Kumar, has alleged that petitioner Rakesh Chandra Naugain and his other accomplices/associates while rendering canteen services at multiple locations at Khanna Paper Mills has committed huge financial misconduct by committing theft/fraud and

embezzlement of the amount approximately Rs. 30-40 lacs.

As per allegation, petitioner was employed in the year 2016 for a monthly salary of only Rs. 10,000/-.

3. *Learned counsel for the petitioner, inter alia, contends that only on the basis of assumptions, petitioner has been made accused in the present case, though there is no such alleged fraud is committed by him. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

6. *On oral request made by counsel for the petitioner(s), complainant – Jatinder Kumar S/o Jagnath, resident of H.No. 01, Garden Colony, Lawerence Road, near Jamun Wali Road, Amritsar, is hereby ordered to be impleaded as respondent No.2. Let amended memo of parties be filed by counsel for the petitioner in the Registry, within a period of two days from today, without moving any separate application.*

7. *Mr. Shourya Mehra, Advocate puts in appearance on behalf of the complainant-respondent No. 2 and files his Vakalanama.*

8. *Adjourned to 05.05.2026.*

9. *In the meanwhile, the petitioner is directed to join the investigation within two weeks or as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing her submissions, learned counsel for the petitioner contends that in compliance of the order dated 30.03.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated.

Therefore, she prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Inderjit Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 09.04.2026 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 30.03.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

05.05.2026
jitender

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