

CRM-M-20382-2026
Date of decision: 21.05.2026

...PETITIONER

STATE OF PUNJAB

...RESPONDENT

Present: Mr. Kirpal Singh Thakur, Advocate;
Mr. Rahul Bhargava, Advocate and
Mr. Prikshit Thakur, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Chandan Singh, Advocate for the complainant.

SUBHAS MEHLA, J. (ORAL)

CRM-18961-2026

1. Allowed as prayed for.
2. Copy of final report/challan dated 21.02.2026 is taken on record as annexure P-8, subject to all just exceptions.

MAIN CASE

1. Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS') prayer is for grant of anticipatory bail to the petitioner in case bearing FIR No.232 dated 30.12.2025 (Annexure P-1) registered under Sections 308, 338, 336, 340, 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Section 66C of the Information Technology Act, 2000 (for short 'the IT Act') at Police Station Sadar Shri Muktsar Sahib, District Shri Muktsar Sahib.



2. Allegations against the petitioner are that he along with co-accused in order to pressurize the complainant prepared/forged the letter head of Enforcement Directorate and prepared fake summons of Enforcement Directorate by forging the signatures of competent official of department and sent the same at the address of complainant's company. Petitioner was nominated as accused in the present case on the basis of disclosure statement made by co-accused, namely, Irvinder Kumar @ I.K. Verma.

3. Learned counsel for the petitioner prays for discretionary relief of anticipatory bail to the petitioner on the following grounds:

- i. The petitioner has been falsely implicated in the present case on the basis of disclosure statement made by co-accused, namely, Irvinder Kumar @ I.K. Verma, which is inadmissible in evidence;
- ii. Except the disclosure statement made by co-accused, there is no material available on record qua the petitioner, to prove his complicity in the present matter;
- iii. No specific role, overt act or participation has been attributed to the petitioner in the commission of offence;
- iv. Neither the petitioner knows the other co-accused persons, nor he has any dealings with them;
- v. No notice under Section 41-A has been served upon the petitioner till date;
- vi. Petitioner is having clean and clear antecedents and is not involved in any other case;



- vii. Custodial interrogation of the petitioner is not required as nothing is to be recovered from him; and
- viii. Petitioner is ready to join the investigation as and when required and to co-operate with the investigating agency.

4. Status report dated 20.05.2026 by way of affidavit of Bachan Singh, PPS, Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib has been filed on behalf of respondent-State and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner. Learned State counsel opposed the prayer made by the petitioner on the following aspects:

- i. Petitioner has actively participated in the commission of offence;
- ii. There is sufficient material available on record to establish the complicity of the petitioner, as co-accused, namely, Irvinder Kumar @ I.K. Verma, Harmander Singh and Satwant Sharma have specifically disclosed his name and attributed a specific role to him in the commission of offence;
- iii. The petitioner was in continuous touch with co-accused during the commission of offence was actively involved in preparation of forged summons of Enforcement Directorate;
- iv. Petitioner is required for custodial interrogation for proper investigation of the case; and



- v. There are total six accused in the present case, and only petitioner is yet to be arrested. Other five accused have been released on bail and challan qua them have been presented before trial Court.

5. Learned senior counsel for the complainant opposed the prayer of the petitioner and submitted that the petitioner played an active role in the commission of offence as he prepared forged summons/notice of E.D. Department, which were sent to the complainant to put pressure upon him.

6. Heard.

7. Keeping in view the facts and circumstances of the case and contentions of learned counsel for the parties, this Court does not find merit in the present petition on the following grounds :

- i. Petitioner is alleged to have played an active role in the commission of offence as he prepared forged summons/notice of E.D. Department, which were sent to the complainant to put pressure upon him;
- ii. There is sufficient material available on record to establish the complicity of the petitioner, as co-accused, namely, Harmander Singh, Satwant Sharma and Irvinder Kumar @ I.K. Verma have specifically disclosed his name and attributed a specific role to him in the commission of offence;
- iii. The petitioner was in continuous touch with co-accused during the commission of offence and also prepared forged summons of Enforcement Directorate; and

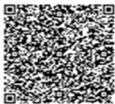


- iv. Petitioner is required for custodial interrogation for proper investigation of the case.

8. The Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806***' ***decided on 03.08.1997***, has emphasized the importance of custodial interrogation by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

9. Anticipatory bail is an extra-ordinary relief which can be granted only in exceptional cases deserving of the concession, and is to be granted sparingly, much less in serious offences as those alleged in the present case. Recently, Hon'ble Apex Court in ***Srikant Upadhyay v. State of Bihar, 2024 INSC 202***, has made the following observation with regard to concession of Anticipatory Bail:-

"We have already held that the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule. It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence."



10. So, taking into consideration the totality of circumstances, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

11. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

May 21, 2026
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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |