

2026:PHHC:003984



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CRM-M-27415-2025 (O&M)

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

| Sr. No. | Particulars                                                                              | Details        |
|---------|------------------------------------------------------------------------------------------|----------------|
| 1       | The date when the judgment is reserved                                                   | 14.01.2026     |
| 2       | The date when the judgment is pronounced                                                 | 15.01.2026     |
| 3       | The date when the judgment is uploaded on the website                                    | 16.01.2026     |
| 4       | Whether only operative part of the judgment is pronounced or full judgment is pronounced | Full           |
| 5       | The delay, if any, of the pronouncement of full judgment, and reasons thereof            | Not applicable |

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Nikhil Chopra, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Nitin Sachdeva, Advocate for the complainant.

MANISHA BATRA, J.

- Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in case arising out of FIR No. 80 dated 26.04.2025, registered under Sections 406 and 420 of IPC (Sections 467, 468 and 471 of IPC added later on) at Police Station Sadar Ludhiana, District Ludhiana.
- The aforementioned FIR has been registered on the basis of a written complaint submitted by complainant Slochanbir Singh, Director of

2026:PHHC:003984



Pioneer Cranes @ Elevators Pvt. Ltd., on 10.11.2024 alleging that the present petitioner was posted as Manager in the factory of the company of the complainant for the last about 27 years. He had come to know that the petitioner had been committing theft of oil and diesel from the vehicles, which were plying for his factory and had been getting oil filled in his personal vehicles from the accounts of the company. He had also criminally misappropriated huge quantity of the material belonging to his company by taking it outside on the pretext of getting the job work done but by not bringing the same back to the factory. That apart, he had caused loss of lakhs of rupees to the complainant, thereby betraying his trust. On his complaint, initially an inquiry was conducted and it was revealed that from the company of the complainant, goods were sent outside for job work by issuing slips showing that they were sent to Guru Nanak Mechanical Works, Ludhiana but in fact, the same were not received by that company, nor the goods were delivered back to the company of the complainant but on that premise, slips of huge amount of money were issued during the period from 28.08.2022 to 29.08.2024 and loss of money was caused by the petitioner. It was also revealed that the petitioner had duped the company of the complainant by purchasing grocery items from one Parkash Grocery Store during the period from 07.01.2021 to 18.09.2024 by showing that those items were purchased for the company of the complainant and thereby an amount of Rs.8,12,570/- was taken from the company but no such goods were received in the company. It was further revealed that the petitioner used to extract money from the accounts of company by showing that petrol was filled in vehicles of Bagga Transporter, which had been hired for transporting goods of the company, but

2026:PHHC:003984



no such amount was payable. Some forged and fabricated slips were also shown to have been prepared by the petitioner for this purpose. Initially, the FIR was registered under Sections 406 and 420 of IPC. During the course of offences under Sections 467, 468 and 471 of IPC were added. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Ludhiana but the same had been dismissed, vide order dated 14.05.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, he had left the job in the company of the complainant and joined some new company on payment of salary higher than what he was getting in the company of the complainant. He was not the only Manager working with the complainant and there were several other Senior Managers, Accountants and Stockiest directly linked with the purchases relating to the company of the complainant. His work was only to oversee the working of the labourers in the factory of the company and he had no direct access to the accounts or monetary dealings of the company, which was in fact being done by Senior Managers and Accountants. He had no role whatsoever with the monetary transactions. He was manhandled by some employees of the company, who were having grudges against him at the instance of the complainant and had left the job. He was implicated falsely in this case only thereafter.

4. It is further argued by learned counsel for the petitioner that the allegations levelled against him are totally vague and false in nature. No case for commission of subject offences is made out against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to

2026:PHHC:003984



be effected from him. The dispute is of totally civil nature, which has been given a criminal colour. It is, thus, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has vehemently argued that there are serious and specific allegations against the petitioner, who caused financial loss to the tune of a huge amount of money by making unauthorized purchases by charging additional fuel costs and by sending the raw material of the company outside the factory premises on the pretext of sending them for job work on the basis of fake slips and without any corresponding GST challan and acknowledgment. He had also prepared forged documents in the form of slips for this purpose. For conducting thorough investigation in the matter, his custodial interrogation is must. No exceptional or extraordinary circumstance has been made in his favour for grant of anticipatory bail. It is, therefore, urged that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. The petitioner is alleged to have caused wrongful loss to the tune of a huge amount of money to the complainant, who was running a company and is also alleged to have committed the offence of forgery by preparing false documents. The allegations make out a prima facie case for commission of subject offences against the petitioner. The case is at its nascent stage. Custodial interrogation of the petitioner is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482

2026:PHHC:003984



of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

15.01.2026

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*