

**CRM-M-33386-2026 1****IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M- 33386-2026
Date of Decision:09.06.2026

Om Parkash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE NEERJA K. KALSON

Present:- Mr. Ekteshwar Sidhu, Advocate for
Mr. Samay Singh Sandhawalia, Advocate for the petitioners.

Mr. Adhiraj Singh, AAG, Punjab.

NEERJA K. KALSON J.(Oral)

1. The present petition has been filed under Section 482 of the B.N.S.S. (corresponding to Section 438 of the Cr.P.C.) seeking grant of anticipatory bail to the petitioner in FIR No.19 dated 24.02.2026 registered under Sections 318(4), 316(2) and 61(2) of the B.N.S. (corresponding to Sections 420, 406 and 120-B of the IPC), at Police Station Harike, District Tarn Taran (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the dispute arises out of a vehicle financing transaction and is purely civil and commercial in nature. Learned counsel further submits that even the Investigating Officer is stated to have acknowledged before the learned Additional Sessions Judge, Tarn Taran, in proceedings dated 20.03.2026,



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that the complainant has an available civil remedy under the contract between the parties and that no offence of cheating is made out against the accused persons. Reliance has also been made upon the order dated 20.03.2026 passed by the learned Additional Sessions Judge, Tarn Taran that records the following observations:-

“Heard. Record perused. DSP Kamaljit Singh has come present in the Court who is Investigating Officer in the present case and conducted the inquiry and thereafter, the present FIR was registered against the accused/applicants on the statement of advocate/counsel for company and from whom, the applicants have got availed the loan and financed the trollas and they had paid some instalments and thereafter, they stopped the instalments of those vehicles and committed the offence of cheating. Further he admitted in the Court that this FIR was registered under pressurizing of system, best reason known to him. He also admitted that no offence qua the applicants/accused is made out of cheating as the complainant has available civil remedy as per contract between the parties.”

3. Per contra, learned State counsel, opposes the present petition. However, he does not dispute the fact that in proceedings dated 20.03.2026 before the learned Additional Sessions Judge, Tarn Taran, certain observations came to be recorded with regard to the nature of the transaction between the parties and the remedies available under the contractual arrangement.

4. I have heard learned counsel for the parties and perused the



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record.

5. It is not disputed that in the proceedings dated 20.03.2026 before the learned Additional Sessions Judge, Tarn Taran, certain observations came to be recorded regarding the nature of the dispute and the remedies available to the complainant. The said proceedings form part of the record and constitute a relevant circumstance for consideration at this stage.

6. Keeping in view the aforesaid circumstance, the nature of the allegations and without expressing any opinion on the merits of the case, this Court is of the considered view that the petitioner has made out a case for grant of anticipatory bail.

7. Consequently, the present petition is allowed.

8. In the event of arrest, the petitioner shall be released on anticipatory bail subject to the satisfaction of the Trial Court/Duty Magistrate concerned and the conditions enumerated under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438(2) Cr.P.C.).

09.06.2026

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**(NEERJA K. KALSON)
JUDGE**

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