

2026:PHHC:087371



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

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**CRM-M-33736-2026 (O&M)
DECIDED ON: 12.06.2026**

DEBABRATA PADHAN

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Anshul Pareek, Advocate for the petitioner(s)
Mr. S.S.Chahal, AAG, Punjab.
Mr. B.S.Bhalla, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier under Section 438 of the Code of Criminal Procedure, 1973) for grant of anticipatory bail to the petitioner in FIR No.146 dated 24.05.2026, registered at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana, Punjab, under Sections 318(4), 338, 336(2), 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (earlier under Sections 420, 467, 465, 468, 471 and 120-B of the Indian Penal Code, 1860).

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the present case is a civil/statutory recovery dispute which has been given a criminal colour. He has argued that the petitioner is not the borrower, guarantor, auction purchaser or valuer and is serving as a Senior Manager of Punjab National Bank who acted in official capacity in proceedings before the Debts Recovery Tribunal-III, Chandigarh (Ld. DRT), and there is no allegation of any money trail, illegal gratification, personal gain or recoverable article from him. He has further argued that no recovery is to be effected from the petitioner, hence, prays for grant of anticipatory bail to the petitioner.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. S.S.Chahal, AAG, Punjab, accepts notice on behalf of respondent/State. He along with learned counsel for the complainant oppose the prayer for grant of bail stating that the petitioner was Bank Manager of Punjab National Bank at the relevant time. He in collusion with Harish Kumar Singla cheated and defrauded complainant and her brother. The allegations against the petitioner are grave and serious in nature.

3. Analysis

Be that as it may, having given due consideration to the submissions advanced, particularly to the fact that the allegations primarily relate to documents, property transactions and the manner in which the recovery proceedings were conducted. The relevant material is documentary in nature and is

already within the possession of the investigating agency, moreover, nothing is to be recovered from the petitioner.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

12.06.2026
anuradha

(SANDEEP MOUDGIL)
JUDGE

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