

2026:PHHC:087353



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

**CRM-M-33791-2026 (O&M)
DECIDED ON: 12.06.2026**

HARISH KUMAR SINGLA

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB AND ANR

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajeev Anand, Sr. Advocate with
Mr. Achintaya Soni, Advocate and
Ms. Simran Atwal, 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 BNSS 2023 (earlier under Section 438 of Cr.P.C) 1973 before this Court for grant of anticipatory bail to the Petitioner in FIR No.146 dated 24.05.2026 registered under Sections 318(4), 338, 336(2), 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (Earlier Under Section 420/ 467, 465, 468, 471,120-B of

IPC, 1860) at Police Station Sarabha Nagar, District Police Commissionerate Ludhiana, Punjab (Annexure P-1).

2 **Contention**

On behalf of the petitioner

Learned Senior Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has been falsely roped into a criminal prosecution arising out of statutory recovery proceedings conducted by Punjab National Bank under the provisions of the SARFAESI Act, 2002 and the Recovery of Debts and Bankruptcy Act, 1993. He further submits that the petitioner is neither a borrower nor a guarantor in the loan account. The only role attributed to the petitioner is that he participated in a public auction conducted pursuant to statutory recovery proceedings under the supervision of the Recovery officer attached to the DRT. He contends that the present FIR is a counter blast to the dispute arising out of the aforesaid recovery proceedings and the petitioner has been made a scapegoat only.

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 of grant of anticipatory bail stating that the petitioner is main beneficiary and the petitioner along with co-accused auctioned the valuable property from the bank and has defrauded the complainant. Therefore, he does not deserve the concession of anticipatory bail.

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. Custodial interrogation of the petitioner, therefore, does not appear to be necessary for the purpose of investigation, especially when the petitioner is stated to have participated in proceedings before a statutory authority.

The argument of the learned State counsel that the petitioner is the beneficiary of the transaction and, therefore, does not deserve the concession of anticipatory bail has been considered and the Court is of view that mere alleged benefit arising from a transaction cannot by itself be a ground to deny the protection of personal liberty, unless there is specific material showing active involvement in the alleged offence.

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.

(SANDEEP MOUDGIL)
JUDGE

12.06.2026
anuradha

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