



CRM-M-35356-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 23.03.2026

Vikas Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas Gupta, Advocate and
Ms. Manisha Kansal, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG Punjab

Mr. Parveen Chauhan, Advocate
for the complainant

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who has been booked in a criminal case arising out of FIR No.13 dated 24.01.2025, under Sections 420, 120-B IPC, at Police Station Ptti, District Tarn Taran.

2. On 09.07.2025, following order was passed:

“(i) *** **

(ii) On oral request made by counsel for the petitioner, complainant, namely, Kewal Krishan, s/o Diwan Chand, resident of Ward No.19, Garden Colony, Patti, Tarn Taran, mobile No.9914149683, is ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be placed on record by counsel for the petitioner, in the Registry within a period of two days from today, without moving



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any separate application.

(iii) Learned counsel for the petitioner, inter alia, submits that, as per the FIR, alleged allurement was made at the instance of Raj Kumar, who is the father of the petitioner. Pursuant to this alleged inducement, complainant is stated to have paid an amount of Rs.4 lakhs on 16.07.2023 and another sum of Rs.4 lakhs on 17.07.2023, both to Raj Kumar. It is not even alleged that any part of this amount was deposited in the bank account of the petitioner, who is already residing abroad.

(iv) Counsel for the petitioner refers to the document/work permit dated 04.07.2023, issued by the competent authority in Poland in favour of the complainant's son, which was valid from 04.07.2023 to 25.06.2026. On this basis, it is submitted that even at the time of registration of the FIR and the alleged payment mentioned therein, complainant's son was already in possession of a valid work permit for Poland. This, as per the petitioner, indicates that FIR is based on a concocted version of events and petitioner has no connection whatsoever with the alleged offence. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(v) Notice of motion.

(vi) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

(vii) Adjourned to 01.10.2025.

Let newly added respondent No.2 be served through SHO concerned, for the next date of hearing.

(viii) In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(ix) Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 09.07.2025, the petitioner has



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joined investigation.

4. Learned State counsel and counsel for the complainant argue that infact similarly situated co-accused Raj Kumar, qua whom also same allegation of receiving an amount Rs. 5,50,000/- was there, his bail application was dismissed by this Court, therefore, no concession could be granted to the petitioner by giving him the same treatment.

5. I have examined the allegations against the petitioner in the present case as well as the aspect, which was recorded in the bail petition recorded of co-accused Raj Kumar. It is not noticed by the Court that allegation of receiving of an amount of Rs. 5.50 was there against the said accused Raj Kumar and same is the allegation against the petitioner as well. It appears that the complainant himself is not clear as to whom the amount that too in cash was handed over, rather during the course of hearing, learned counsel for the complainant submits that as per video recording the amount was handed over to the parents of the present petitioner, however, it is not disputed that as per video recording, petitioner never received any amount, therefore, taking into consideration the factual aspect as made clear by counsel for the complainant as well as coupled with the aspect that nothing is pointed out that any amount was transferred in the bank account of the petitioner.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 09.07.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under

Section 482(2) of BNSS, 2023.



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8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

23.03.2026
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO