

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

CRM-M-38336-2025
Decided on: 24.03.2026

.....Petitioner

Versus

.....Respondent

Present: Mr. Kartik Mittal, Advocate
None for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. A.G. Haryana

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 petitioner, who has been booked in a criminal case arising out of FIR No.52 dated 26.05.2025, under Sections 406, 420 IPC, 1860 at Police Station Nizampur, District Mahendergarh.

2. On 21.07.2025, following order was passed:

“(i) *** *** *** ***

(ii) *Learned counsel for the petitioner, inter alia, contends that as per allegations, petitioner while posted as Branch Postmaster Nangal Dargu, Branch Post Office, has embezzled an amount of Rs.1,17,000/-. Said allegations have been levelled after a period of three years without there being any substantial evidence.*

(iii) Further submits that looking at the allegations, custodial interrogation of the petitioner would not serve any useful purpose to affect any recoveries. Moreover, the allegations are to be ascertained by the prosecution from the official record. Thus, petitioner himself is ready and willing to join the



investigation if granted the protection of interim/anticipatory bail. Hence, he prays for the grant of the concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report by verifying the submissions addressed by the petitioner’s counsel.

(vi) Adjourned to 29.10.2025.

(vii) 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.).

(viii) 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 21.07.2025, the petitioner has joined investigation.

4. Learned State counsel on instructions from PSI Parteek confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 21.07.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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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.

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.

24.03.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
YES/NO