



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

203-3

CRM-M-42752-2025

BALBIR KUMAR

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

Date of decision: 29.01.2026

Date of uploading:29.01.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ajay Singh Pundir, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

Mr. R. Kartikeya, Advocate for the complainant.

SUMEET GOEL, J.

1. On 12.08.2025, the following order was passed:-

“1. Prayer in this petition under Section 482 BNSS, 2023 is for grant of anticipatory bail in case FIR No.19, dated 21.02.2025, registered at Police Station Khamanon, District Fatehgarh Sahib, Punjab under Sections 331(4) and 305(a) of BNS, 2023 and (later on added offence under Section 317(2) and 112(2) of BNS, 2023).

2. Status report by way of affidavit dated 11.08.2025 of Raminder Singh, PPS, Deputy Superintendent of Police, Sub Division, Khamano, District Fatehgarh Sahib filed on behalf of the respondent- State is taken on record. Registry is directed to tag the same at an appropriate place.

3. As per allegation in the FIR, M/s Lakshmi Energy and Foods Limited which was under liquidation and its premises was under the care of Security Guards. On the intervening night of 31.12.2024, a theft took place and thieves had taken away parts of transformers, copper, transformers oil and cable wires alongwith some batteries. On 06.06.2025, complainant got recorded supplementary statement to the effect that Krishan @ Babu, Chand and Arif had committed the theft and on 06.06.2025, Krishan @ Babu was arrested who was



found to be involved in several such cases and the offence under Section 111 of BNS, 2023 was also added. On interrogation, he disclosed that he had committed the theft alongwith co-accused Chand and Arif and they have sold the oil and electric cables. Some copper and oil fell in his share which was got recovered by him. One Kamlesh was nominated as an accused by him as he had purchased the stolen articles and he was arrested on 26.06.2025. On interrogation, he disclosed that he alongwith Lallan Shah, Jagjit and Raj Kumar had purchased oil and electric cables from Krishan @ Babu, Chand and Arif and they were arrested on the same day. On 28.06.2025, Kamlesh Kumar disclosed that he had been using one car for transporting the stolen articles and one car was being used by Raj Kumar for transporting the stolen articles and the vehicles were recovered. On 29.06.2025, accused Lallan Shah on interrogation disclosed that he had purchased the stolen copper @ Rs.650 per kilogram and he used to sell the same to M/s Paras Metal, Ludhiana. The proprietor of M/s Paras Metal, Ludhiana namely Ajay Kumar used to prepare a payment slip and send it to the shop running under the name of B.R. Enterprises, Ludhiana of his under Balbir Kumar (petitioner) and cousin Amit Kumar who used to pay the money to him. He further disclosed that he has sold the copper to M/s Paras Metal, Ludhiana on five occasions. Thereafter, Ajay Kumar @ Bobby, Balbir Kumar (petitioner) and Amit Kumar were impleaded as accused in the present case.

4. In this manner, no one had been named in the FIR and even the names of Krishan @ Babu etc. were disclosed on the basis of suspicion after 6 months of the alleged theft. All the remaining accused have been nominated on the basis of disclosure statements of co-accused. As to how much evidentiary value will be attached to such disclosure statements can be seen only during the trial.

5. Adjourned to 15.10.2025. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall abide by the terms and conditions as envisaged under Section 482(2) BNSS/438(2) Cr.P.C.”

2. On 02.12.2025, the following order was passed:-

“Learned State counsel submits that the petitioners have not joined the investigation, whereas learned counsel for the petitioners submits that they have already joined the investigation. However, one more opportunity is granted to the petitioners to join the investigation. Petitioner is directed to appear before the Investigation Officer on 17.12.2025.

Adjourned to 29.01.20226.

Interim order to continue till the next date of hearing.

A photocopy of this order be placed on the connected case files.”



3. Learned State counsel, on instructions, has stated that pursuant to the order dated 12.08.2025 and 02.12.2025 the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations raised against the petitioner are direct/serious in nature and hence he ought not to be extended the concession of anticipatory bail. He has further iterated that in case the petitioner is extended the concession of anticipatory bail, there is all the likelihood that he may interfere with the investigation as also intimidate the investigation/witnesses.

5. Keeping in view the factual milieu of the case in hand; especially the factum of the petitioner having joined investigation and cooperated therein and is no longer required by the State for further custodial interrogation, this Court is inclined to confirm the order dated 12.08.2025 and 02.12.2025 granting anticipatory bail to the petitioner, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. Ordered accordingly.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

29.01.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No