

2026:PHHC:016843



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

203

CRM-M-51162-2025 (O&M)
Date of decision: 04.02.2026

Rajiv Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lalit Singla, Advocate and
Ms. Varsha Sharma, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. R. S. Malik, Advocate and
Ms. Riya Malik, Advocate
for respondent No. 2.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of anticipatory bail to him in case bearing FIR No.0025 dated 30.01.2025, registered under Sections 318(4), 336(3), 338, 340(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 at Police Station Division No. 5, Ludhiana on the basis of the statement recorded by complainant Amandeep Singh, who was incharge of Muthut Capital Service Limited, Punjab on the allegations that 42 persons had got financed two wheelers from his company but had failed to pay the installments. On making inquiries, it was revealed that accused Harjinderpal Singh etc. had formed a gang and by

2026:PHHC:016843



hatching conspiracy, they used to take identity proofs of innocent public persons by alluring them with money and on the basis of such identity proofs, procured vehicle loans in the name of those persons and then usurped the loan amounts so procured. After registration of the FIR, investigation proceedings have been initiated and are underway.

2. As per the further allegations, during the course of investigation, accused Harjinderpal Singh etc. were arrested. They suffered disclosure statements, as per which, 15 vehicles, got financed by them, had been given to the present petitioner for further sale. Hence, the petitioner was nominated as an accused. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana, vide order dated 07.03.2025. Then he filed a petition bearing number **CRM-M-14034-2025** before this Court, which too was dismissed, vide order dated 22.05.2025.

3. It is argued by learned counsel for the petitioner that the instant petition is maintainable as after dismissal of his previous petition, there has been change in the circumstances as he has now obtained closure/NOC documents qua 11 of the scooters/vehicles, which he had received and he has also facilitated the return and handing over of those 11 vehicles to the complainant, recovery qua which is pending towards him. It is also submitted that 11 vehicles, which were allegedly taken by him had no lien with the complainant-company. He is only a dealer, who was engaged in further sale of the vehicles and was not a part of the conspiracy hatched by other accused, who have even been extended benefit of regular bail by now. The petitioner is ready to join the investigation. His custodial interrogation is not required. No

2026:PHHC:016843



recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of anticipatory bail.

4. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that the previous petition filed by the petitioner had been dismissed by this Court by making a detailed discussion and no new ground has been made out for allowing this petition. It is submitted that 15 two wheelers fraudulently obtained through forged loan documents were received by the petitioner, out of which, 04 vehicles have been recovered. There is no material on record to show that other vehicles have been handed over by the petitioner or recovered. Even otherwise, the plea that those vehicles have been recovered does not prove the innocence of the petitioner. The petitioner had even filed a Special Leave Petition before the Hon'ble Supreme Court against the previous order passed by this Court, declining his prayer for grant of bail. However, even the aforesaid petition has been dismissed by the Hon'ble Supreme Court. There is no substantive or drastic change in the circumstances. Custodial interrogation of the petitioner is must to unearth the entire conspiracy hatched between him and co-accused and a deeper probe is required to ascertain the exact role played by the petitioner as well as co-accused for effective investigation, which the petitioner has been avoiding since long. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The previous petition of the petitioner had been dismissed by this Court by passing a detailed order. Even the Special Leave Petition filed by him against that order has been dismissed by Hon'ble Supreme Court. Though, the

2026:PHHC:016843



petitioner has tried to show that there is change in circumstances, however, at this stage, there is no material on record to show so. As per the case of the prosecution, recovery of 07 vehicles is still pending. No exceptional or extraordinary case has been made out in his favour for grant of anticipatory bail. Taking into consideration all these facts, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

04.02.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No