



CRM-M-54748-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54748-2025
Decided on: 23.02.2026

ROHIT KUMAR ALIAS SHARRY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Mukesh Kumar Bhatnagar, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 482 of BNSS, seeking anticipatory bail in case FIR No. 94 dated 26.06.2025, under Sections 318(4), 61(2) of BNS, registered at Police Station Haibowal, District Ludhiana.

2. On 26.09.2025, following order was passed:-

“i) Present petition has been filed under Section 482 of BNSS, seeking anticipatory bail in case FIR No. 94 dated 26.06.2025, under Sections 318(4), 61(2) of BNS, registered at Police Station Haibowal, District Ludhiana.

ii) As per the prosecution, the co-accused Sanjay Maurya duped the illiterate complainant, Ram Suraj. After explaining the need for a certain amount, Ram Suraj obtained a personal loan from Sanjay Maurya. However, it is alleged that fraud was committed by obtaining Ram Suraj's signatures to open a bank account and subsequently purchasing two cars in the complainant's name. Later, these vehicles were mortgaged to the petitioner, Rohit Kumar, who resides in Amritsar.

iii) Counsel for the petitioner submits that the petitioner was not involved at the inception of the



crime when the conspiracy was hatched by the main accused Sanjay Maurya along with other accused persons. Rather, the petitioner's involvement arises solely from the fact that two vehicles bearing registration numbers PB-10-JL/9002 (Hybrid Hi-Ryder) and PB-10- JJ-7391 (Venue), which were already registered in the name of the complainant Ram Suraj, were mortgaged to him. However, the role of Rohit Kumar appears to be less grave, as his involvement at the inception of the crime remains unestablished and same is yet to be investigated and proved during the trial.

iv) Notice of motion.

v). 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.

vi) Adjourned to 15.12.2025.

vii) Meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, 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 they do 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. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 26.09.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.



4. On the other hand, learned State counsel has filed status report dated 14.12.2025 in the Court today and the same is taken on record.

5. Learned State counsel submits that although, in compliance with the directions passed by this Court, petitioner has joined the investigation on 12.10.2025, but he did not cooperate with the Investigating Agency and failed to facilitate recovery of the cheated amount as well as the vehicles that were allegedly mortgaged by him.

6. At this stage, learned counsel for the petitioner refers to receipt dated 05.03.2025 and submits that, as per the said receipt executed on stamp paper, the vehicles in question were taken back by Sanjay Kumar on 06.03.2025.

It is further submitted that the State has not verified the execution or authenticity of the said receipt, to ascertain whether the document is genuine or otherwise.

7. Heard learned counsel for the parties.

8. Since petitioner has already joined the investigation and considering the facts mentioned in the receipt (Annexure P-1), this Court is of the view that the present case does not warrant custodial interrogation of the petitioner any more.

This Court is further constrained to observe that the main accused, Sanjay Maurya, has not been arrested till date, and no satisfactory explanation has been furnished by the Investigating Officer in this regard.



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9. In view of the above, ad-interim bail order dated 26.09.2025, passed by this Court, is hereby made absolute. Consequently, present petition stands **allowed**.

However, 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.

10. Accordingly, petition stands disposed of.

11. However, present order would be subject to the submission of passport of the petitioner 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.

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

(SANJAY VASHISTH)
JUDGE

23.02.2026
Lavisha

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