



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

106

CRM-M-56949-2025 (O & M)

Date of decision: 30.03.2026

MOHAMMAD ALI SHEIKH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Deepak Aggarwal, Advocate, for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.
Ms. Komalpreet Kaur, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in case FIR No.54 dated 06.05.2021 registered under Section 406 of IPC at Police Station Division 'D', Amritsar City, District Amritsar.
2. Reply by way of affidavit of the Assistant Commissioner of Police, Central, Amritsar, filed in the Court, is taken on record.
3. On 16.03.2026, this Court had passed the following order:-

“Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner in case FIR No.54 dated 06.05.2021 registered under Section 406 of IPC at Police Station Division 'D', Amritsar City, District Amritsar.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The petitioner himself has executed a written compromise with him admitting that he had given an amount of Rs.64,000/- and 30 grams of gold on credit basis and due to eruption of differences between them, this FIR has been got registered. It is submitted that he is still ready to join investigation and cooperate in the same. He is ready to return the aforementioned amount and 30 grams of gold to the complainant. No other recovery is to be effected from him. His custodial interrogation is not required.

Learned counsel for the complainant has very fairly admitted that the compromise (Annexure P2) has been signed by the complainant as well and has not raised any

serious objection to the offer made by the petitioner for returning of the amount of Rs.64,000/- and 30 grams of gold.

Taking into consideration these facts, the petitioner is directed to join investigation by surrendering before the Investigating Officer/Arresting Officer within a period of 10 days from today and he shall cooperate in the investigation. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

Adjourned to 30.03.2026.

It would, however, be open to the learned State counsel to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”

4. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

5. Learned State counsel on instructions from the Investigating Officer affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

6. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 16.03.2026 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

7. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

30.03.2026

parveen kumar

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

(AMAN CHAUDHARY)
JUDGE