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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-56902-2025
Decided on: 12.01.2026

AWNISH RANJAN
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Bhumika Sachan, Advocate, for the petitioner.
Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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 First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Awnish Ranjan, aged about 26 years	196	10.08.2023	381 of IPC, 1860	Sahnewal	Ludhiana

2. On 09.10.2025, following order was passed:-

“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 First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Awnish Ranjan, aged about 26 years	196	10.08.2023	381 of IPC, 1860	Sahnewal	Ludhiana



2. *Allegation against the petitioner is that he, along with the driver of the truck bearing registration No. RJ19-GD-8793, stole goods from the factory/industry of the complainant by loading them into the said truck. The complainant, Ram Kishan, who is working as General Manager at Avtar Rubber Industry, Ganpati Estate, Ludhiana, where rubber tubes are manufactured and materials such as valve cores and valves are kept in the store, has made the allegation. The alleged incident of theft took place on 13.03.2023. On 14.03.2023, upon checking the CCTV footage, it was noticed that during the daytime, the driver of the aforesaid truck, along with Awnish Ranjan (petitioner herein), lifted the goods from the factory/industry premises and loaded the same into the truck. While leaving, they first placed the goods at Bajrang Kanda and later took the said goods away in the evening of the same day.*

3. *Learned counsel for the petitioner contends that the petitioner was merely an employee in the said industry, wherein the complainant, Ram Kishan, is also serving as General Manager. Mere presence of the petitioner at the spot and his act of assisting the truck driver in loading the goods, by itself, would not prima facie constitute the offence of theft.*

To strengthen his submissions, learned counsel further argues that had any theft actually occurred in the industry, as alleged in the FIR, the complaint would have been lodged immediately. However, in the present case, the FIR was registered after about five months, i.e., on 10.08.2024. It is submitted that the FIR is a motivated one, as the petitioner had already left his employment in the factory/industry during the period when the alleged incident took place.

It is further submitted that the petitioner had no control over the truck or any authority to decide whether the goods were to be loaded or not. He was merely following the instructions of his superiors or acted under a bona fide belief based on the directions of the truck driver. Thus, learned counsel submits that the allegations are not substantiated by any cogent evidence. The petitioner is, however, ready and willing to join the investigation and to fully



cooperate with the investigating agency, provided he is protected from arrest.

4. Notice of motion.

5. 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.

6. Adjourned to 12.01.2026.

7. 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.).

8. 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. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 09.10.2025, 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. Learned State counsel on instructions from ASI Rajinder Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 14.10.2025 by the petitioner, and submits that



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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 09.10.2025, passed by this Court is hereby made absolute. Accordingly, present petition is 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.

7. Accordingly, petition stands disposed of.

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/she would submit an affidavit, disclosing the fact that he does not possess any passport.

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

(SANJAY VASHISTH)
JUDGE

12.01.2026

Lavisha

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