

2026:PHHC:012828



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

204

CRM-M No.59156 of 2025
Date of decision: 28.01.2026

Jaswinder Singh ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arjun Shukla, Advocate and
Mr. Abhimanyu Kaushal, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Ashok Batra, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
83	18.09.2024	Sadar Rupnagar, District Rupnagar	420, 465, 467, 468, 471 and 120-B of IPC

2026:PHHC:012828



2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of a written complaint submitted by complainant Ram Kumar Pandit alleging that Ram Ghulam Singh had disclosed to him that in a scheme launched by Government of Punjab, an amount of Rs.20,000/- was being given to persons of low income group subject to their filling a form and such amount of money was not returnable. Ram Ghulam Singh induced him to sign some blank cheques and papers and also to give his photographs, Aadhar Card and ration card etc. Sometime thereafter, he asked the complainant to meet the petitioner who was bank manager of Cooperative Bank, Giani Jail Singh Nagar Branch. The complainant along with Ram Ghulam Singh met the petitioner who also procured his signatures on a register, some documents and cheques and then he was sent back. Sometimes thereafter, Ram Ghulam Singh took him to Bank wherein he procured his signatures and deposited an amount of Rs.3,70,000/- in his bank account. However, the said amount of money was got withdrawn from him by the present petitioner, Ram Ghulam Singh and one Bahadur Singh by representing that it was deposited due to mistake. The accused Bahadur Singh and Ram Ghulam Singh gave an amount of Rs.16,000/- to the complainant by showing that amount of Rs.20,000/- which was to be given to him under the scheme, an amount of Rs.4,000/- was deducted as bank fees. Seven years thereafter, the

2026:PHHC:012828



complainant came to know that the aforementioned amount of Rs.3,70,000/-was infact disbursed as loan in his name in connivance with the petitioner and the co-accused and since the instalment of that loan were not being paid, therefore, a huge amount of money was accrued as loan against him. By alleging that he had been cheated by the petitioner and the co-accused, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. 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, Rupnagar vide order dated 09.10.2025.

3. Copy of the order dated 09.10.2025 as passed by learned trial Court has been placed on record by learned counsel for the petitioner only today. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case with regard to the occurrence which has allegedly taken place way back in the year 2016 by lodging FIR in the year 2024 which is almost eight years later. The inordinate delay in lodging the same has not been explained by the complainant. He was neither beneficiary of any transaction nor any amount of money was transferred in his bank account. Even the complainant and the co-accused Ram Ghulam Singh signed/issued two notarized E-stamped certificate to the effect that the loan was taken in the name of the complainant by the

2026:PHHC:012828



co-accused Ram Ghulam Singh with permission and knowledge of the complainant and the petitioner had no role to play in the same. Infact the complainant himself failed to honour his financial commitments towards the bank by making default in repayment of loan instalments and a complaint under Section 138 of Negotiable Instruments Act, 1881 has been filed against him. It is further submitted that after signing/making of notarized declarations by the complainant, the petitioner along with the co-accused had even filed a petition before this Court seeking quashing of the FIR on the basis of compromise effected between them but the complainant having turned greedy, had started raising demand of hefty amount of money as a precondition for recording his statement thereby compelling the petitioner to withdraw the abovesaid petition. It is submitted that he has already cooperated with the investigation and is further ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, urged that the he deserves to be extended benefit of pre arrest bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioner. His custodial interrogation is required for conducting thorough investigation in the matter. No exceptional or extraordinary circumstance for grant of pre arrest bail is made out. It is, therefore, stressed that the

2026:PHHC:012828



petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner in connivance with the co-accused is alleged to have made the complainant sign some loan documents on the pretext of providing an amount of Rs.20,000/- to him in some scheme launched by the Government of Punjab and is alleged to have criminally misappropriated that amount. The signatures of the complainant were procured on several loan documents and not only wrongful loss of money had been caused but he was also cheated and defrauded. The allegations against the petitioner are serious in nature. So far as the contention that FIR has been lodged after a gap of about eight years from the date of disbursement of loan is concerned, it is matter of trial as to whether the complainant was aware about the fact that he was made to sign loan documents or not and this question cannot be decided at this stage. Similarly, the contention that the complainant had made a declaration in his favour can also not be considered at this stage. The case is at its nascent stage. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion

2026:PHHC:012828



conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that observations made hereinabove

2026:PHHC:012828



shall not be construed as an expression of opinion on the merits of the case.

28.01.2026
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No