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

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CRM-M-62372-2025 (O&M)
Date of decision: 20.01.2026

Ranjit Singh **...Petitioner**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sukhwinder Singh Kamboj, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory
bail to the petitioner in FIR No. 35 dated 05.04.2024, registered under Sections
420, 406 and 120-B of IPC at Police Station Anandpur Sahib, District
Rupnagar.
2. As per the allegations, the petitioner along with co-accused
Dilpreet Singh and Harinder Singh was working as Field Officer in Rupnagar
Branch of Ashirwad Micro Finance Ltd., which was carrying out business of
lending money loans and gold loans to the needy people, and while doing so,
they had got sanctioned loans in the names of members of the complainant-
company and had then got transferred the amounts of loans in the accounts of
the persons known to them and has usurped the same, thereby causing

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wrongful loss to the complainant-company. On a complaint moved by the Area Manager of the company, the aforementioned FIR was registered. Investigation proceedings were 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 29.08.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was simply a Junior Assistant in the company. For grant of loans to the customers, the entire process was done by the company through online mode under the supervision of several officers of high rank. The duty of the petitioner was simply to collect the instalments of loan from the customers and hand over the same to the Branch Manager, which he had been doing on day to day basis. As per the allegations, he had committed fraud to the extent of Rs.6,30,089/- but as per the letter issued by the complainant-company itself, loss to the tune of Rs. 2,54,352/- had been caused to it. The petitioner had regularly and diligently performed his duties till 13.05.2024. He had no hand in disbursement of the loans to the customers and there were no chances of his usurping any amount of money. He is ready to join the investigation. His custodial interrogation is not required. No 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. Status report has been filed by the respondent-State. Learned State counsel has argued that after receipt of the complaint from the complainant-company, a thorough inquiry was conducted in the matter and it was revealed

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that by working as Filed Officer along with co-accused, the petitioner had usurped the aforementioned amount of money by getting the loans sanctioned in the names of members of the company and diverting the same for his own use by transferring the amounts to his known persons. For conducting thorough investigation in the matter, his custodial interrogation is must. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner along with co-accused, while working as a Field Officers in the complainant-company, is alleged to have fraudulently procured sanction of loans in the names of members of the complainant-company and diverted the loan amounts to accounts of persons known to them. By doing so, the petitioner is alleged to have misappropriated the funds and caused wrongful loss to the complainant-company. The allegations prima facie make out a case for commission of offence of cheating on the part of the petitioner. His custodial interrogation is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion 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 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 inroad in

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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 under Section 482 of BNSS. 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. 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 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.

20.01.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No