



CRM-M-63705-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

127

CRM-M-63705-2025
Decided on: 24.03.2026

Pardeep Maini alias Honey and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S. Nagra, Advocate and
Ms. Himani Nagra, Advocate
for the petitioners.

Mr. Manjinder Singh Bhullar, DAG Punjab

SANJAY VASHISTH, J. (ORAL)

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 petitioners, who has been booked in a criminal case arising out of FIR No.91, dated 17.05.2025, under Sections 381, 408, 34 IPC, registered at Police Station Division B, District Amritsar.

2. On 13.11.2025, following order was passed:

“(i) *** ***)

(ii) *Learned counsel for the petitioners, inter alia, contends that allegations in the FIR have been levelled merely on the basis of suspicion, arising out of the complainant's grievance that petitioners stopped working in his shop and joined employment with another shop, which is situated just opposite to that of the complainant's shop. It is submitted that without any factual basis, complainant initially lodged an FIR dated 23.10.2022 regarding the alleged theft of an amount of Rs.60,000–70,000/-, but as no clue could be found during the investigation, a new version has now been concocted. In the present FIR, it has*

**CRM-M-63705-2025**

been alleged that during the period from 01.04.2024 to 25.07.2024, approximately Rs.22 lakhs were credited into the petitioners' bank accounts, purportedly on account of pilferage of stock from the complainant's shop.

(iii) Counsel for the petitioner further submits that there is no material or evidence whatsoever to substantiate these allegations, which are based purely on suspicion and conjecture. It is argued that such unsubstantiated allegations cannot justify the custodial interrogation of the petitioners. Petitioners are, however, ready and willing to join the investigation and furnish a complete explanation to the Investigating Officer regarding the source of amounts credited to their bank accounts. Thus, it is prayed that petitioners be granted the concession of anticipatory bail in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Atul Goyal, Advocate, puts an appearance on behalf of the complainant.

(vi) Adjourned to 12.01.2026.

(vii) Meanwhile, petitioners shall not be arrested. However, issue of joining of investigation by the petitioners would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.

(viii) Let the petitioners furnish an explanation with respect to all their bank accounts, disclosing the source of amounts credited therein, before the Investigating Officer prior to the next date of hearing.

However, it shall be open to the complainant to assist the Investigating Officer by submitting any relevant material or evidence in support of the allegations levelled by him.”

3. Today, from the status report learned State counsel refers paragraph No. 7 and submits that petitioner, who was receiving a meagre salary of Rs. 9,000/- per month was found to have a total sum of Rs. 9 lacs credited into his bank account. Therefore, it is highly probable that while petitioner-Pardeep Maini alias Honey, had left his job i.e. complainant's Handloom shop in February, 2023, he had no other source of income. Consequently, it would have been impossible for him to deposit such a substantial amount into his bank account, and



CRM-M-63705-2025

same is alleged by the complainant.

4. I have considered the submissions addressed by learned counsel for the parties and gone through the record.

5. Despite being asked repeatedly to provide any documentary evidence establishing a connection between the amount deposited in the bank account of petitioner and the bank or handloom records of the complainant, no such evidence has been provided. Merely because a large sum of money is present in a bank account, it can not be concluded, without further proof, that the funds belong to the complainant. Therefore, petitioner should not be subjected for custodial interrogation. Moreover, there may be more than one reasons for the deposit, which petitioner or whosoever is accused before the Court may explain at the relevant stage. Thus, this Court does not find any substantial reason for subjecting the petitioner to custodial interrogation at this stage.

6. On the other hand, the burden lies with the prosecution/complainant to establish, through evidence, that the funds in petitioner's bank account belongs solely to them and that amount was fraudulently transferred by Pardeep Maini into his own bank account.

7. Accordingly, petitioners are directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioners would be released on anticipatory bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners 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 petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise,



CRM-M-63705-2025

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.

9. With the directions issued here above, present petition stands disposed of.

24.03.2026
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(SANJAY VASHISTH)
JUDGE

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