

2026:PHHC:005001



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

204

CRM-M-66863-2025 (O&M)
Date of decision: 15.01.2026

Gurpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Hitesh Verma, 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. 65 dated 14.05.2025, registered under Section 316(4) of Bharatiya Nyaya Sanhita, 2023 at Police Station Barnala, District Barnala.

2. As per the allegations, the petitioner had been working as a Manager with the Vellvette Lifestyle Private Limited w.e.f. 20.12.2022. During the course of audit, the stock register, record register and cash register regarding goods sold were checked and it was found that an amount of Rs.2,19,975/- had not been deposited in the cash register regarding goods sold. On questioning the petitioner, he started avoiding the matter and then left the job without informing them or resigning from the complainant's company. He

2026:PHHC:005001



also prepared a fake screenshot regarding depositing an amount of Rs.2,01,500/- of company and sent it to the officers of the company. On conducting stock audit also, it was found to be deficient to the extent of Rs.1,79,887/-. Since the petitioner was shown to have breached the trust of the company of the complainant and caused wrongful loss to it, the matter was reported to the police. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Barnala, which was dismissed, vide order 21.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. When he wanted to join another company and sought permission of the complainant for relieving him from his duties in the month of November, 2024 and payment of his dues, instead of clearing his dues and giving NOC, he implicated him in this case. A termination notice was issued against him on 11.12.2024. There were discrepancies in the deposit amount as mentioned in the termination notice as well as in the FIR. There is inordinate delay in lodging of the FIR. The ingredients of subject offences are not even prima facie established against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. The dispute is of purely civil nature which has been given a criminal colour. It is, thus, stressed that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that the allegations against the petitioner are serious. He had committed the offence of breach of trust with his employer by embezzling

2026:PHHC:005001



an amount of Rs. 3,99,862/-. For conducting thorough investigation in the matter and to know about the manner of the petitioner committing the subject offences, his custodial interrogation is must. No exceptional or extraordinary circumstance for grant of anticipatory bail has been made out in favour of the petitioner. It is, thus, urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have committed offence of breach of trust with his employer by criminally misappropriating an amount of Rs.3,99,862/-. The case is at its nascent stage. The allegations prima facie make out a case for commission of aforementioned offence against 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 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

2026:PHHC:005001



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.

15.01.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No