



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-68606-2025
Date of decision: 06.03.2026

GURINDER SINGH SAINIPetitioner(s)

VERSUS

UNION TERRITORY CHANDIGARHRespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Vijay Lath, Advocate
for the petitioner.

Mr. Arnav Gupta, Addl. P.P. for U.T. Chandigarh.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has filed the instant petition under Section 482 of the BNSS, 2023 for grant of pre-arrest bail in case bearing FIR No.0084 dated 14.10.2025 registered under Sections 305 (a) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Mani Majra, U.T. Chandigarh.

2. Learned counsel for the petitioner *inter alia* contends that pursuant to the order dated 05.12.2025 passed by this Court, the petitioner has joined investigation and he is no longer required for investigation of the case.

3. Learned state counsel submits that even though the petitioner has joined the investigation, however, the recovery of the gold bangle (Kada) is yet to be effected. He contends that a case has been set up by the petitioner that he had taken away gold kada against the amount payable to

him by the complainant under the Kitty Scheme whereas the accounts of the complainant show that there was no amount payable by the complainant to the petitioner.

4. I have heard learned counsel for the parties and have gone through the documents appended alongwith the present petition.

5. So far as the question of recovery of gold articles is concerned, the petitioner has himself made a statement before this Court admitting and acknowledging therein that he had taken away the gold kada since the complainant owed him money against the said Kitty scheme.

6. In circumstances when there is no dispute to the articles having been taken away by the accused, the necessity of seeking custodial detention for recovery of the said article would be irrelevant.

7. The next issue which survives is with respect to re-conciliation of the books of account and the contesting claims of the petitioner and the complainant. The same being a part of commercial transaction is required to be established during the trial and it would not require any custodial interrogation of the petitioner at this stage.

8. In view of the above, the interim order dated 05.12.2025 is made absolute and the present petition is allowed.

9. However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 482 (2) BNSS.

MARCH 06, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No