



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

213

CRM-M-68758-2025 (O&M)

Date of decision: 28.01.2026

ATUL GOSAIN

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashok Aggarwal, Sr. Advocate with
Mr. Mukul Aggarwal, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. Anurag Arora, Advocate for respondent No.2.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 BNSS, 2023, for grant of anticipatory bail to the petitioner in case FIR No.0133, dated 01.10.2025, under Sections 316(2), 318(4), 61(2) BNS, registered at Police Station IT City, SAS Nagar (Mohali).

2. On 05.12.2025, this Court had passed the following order:-

“Learned Senior counsel for the petitioner submits that there have been multiple bilateral friendly financial transactions between the petitioner and husband of the complainant over the past 5 years, which were through written agreements, reference to Annexure P-11, however, in the present case, it is alleged that as per an oral agreement, 25% share of the company was to be transferred in favour of the complainant, for which an amount of Rs.1,72,00,000/- had been received. Be that as it may, the said amount has been returned on 19.09.2025, during an enquiry after filing of the complaint, wherein the petitioner joined but prior to lodging of FIR, which is an admitted fact. At best, it is a case of civil dispute, the remedy for which has not been availed. He is not involved in any other criminal case. He is ready and willing to join the investigation as and when required by the investigating agency and will cooperate. Relies on **Ravindra Saxena vs. State of Rajasthan** AIR 2010 SC 1225 and **Naresh Kumar vs. The State of Karnataka and another** (SLP (Crl.) No.1570 of 2021.

Notice of motion.

At the asking of the Court, Ms. Gagandeep Kaur, DAG, Punjab, accepts notice on behalf of respondent-State and Mr. Anurag Arora,

Advocate, on behalf of respondent No.2-complainant and made their submissions in opposition.

Meanwhile, the petitioner is directed to join the investigation on or before 15.12.2025. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 482(2) BNSS.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 28.01.2026.”

3. Learned Senior counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Learned State counsel on instructions from the investigating officer affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 05.12.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

28.01.2026

ashok

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