

2026:PHHC:093617



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32137-2026

Mayank Kumar

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: July 10, 2026

Date of Uploading: July 10, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Himanshu Sharma, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner, in case FIR No.96 dated 10.04.2026, registered under Sections 303(1), 316(4), 351(3) and 3(5) of the BNS, 2023, at Police Station Patran, District Patiala.

2. On 03.06.2026, the following order was passed:

"1. This petition for pre-arrest bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.96 dated 10.04.2026, for the commission of offence punishable under Sections 303(1), 316(4), 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023, Police Station Patran, District Patiala.

2. Briefly stating the facts emerging from record are that the FIR of this case has come into being at the instance of 'M/s Vishal Sales' (Vizcol), through its proprietor 'Sanjay Palsiana', hereinafter being referred to as complainant only. It was stated by the above-named complainant that 'Mayank Kumar' (the petitioner herein) was employed by the complainant firm in the year 2024 as Manager (Operations & Quality) and his duty was to look after the day-to-day affairs of its bitumen hot-mixture plant situated at village Shergah, Tehsil Patran, District Patiala. It was further stated that on 01.04.2026 during an internal stock audit, the complainant discovered a stock deficit of 1525 bags of Polymer valued approximately Rs.80,00,000/- As per complainant further

enquiry revealed that present petitioner forged bills and other related documents and further sold the said goods to one 'Krishan Lal Sunaar'.

3. It is the case of the prosecution that pursuant to abovementioned statement, formal FIR of this case was lodged and the investigation taken up.

4. Short reply has been filed by learned State counsel. The same be taken on record.

5. Heard.

6. The record has been perused carefully.

7. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i) that the offence is triable by the Court of Judicial Magistrate;*
- ii) that the maximum punishment prescribed for the offence is imprisonment up to seven years;*
- iii) that as per prosecution, itself, the bag allegedly stolen by the petitioner have already been sold to a third party namely 'Krishan Lal' at Delhi. Thus, custodial interrogation of the petitioner is not likely to produce a fruitful result;*
- iv) that the petitioner has clean antecedents;*
- v) that the investigation and trial are not likely to be concluded in near future;*
- vi) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and vii) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.*

8. Taking into consideration the cumulative effect of all the above mentioned factors, it is hereby held that the petitioner is entitled for interim anticipatory bail.

9. Thus, it is hereby ordered that in the event of arrest of the petitioner, he shall be released on interim anticipatory bail on furnishing bonds to the satisfaction of Arresting Officer. However, in the meantime, the petitioner shall join the investigation as and when called by the Arresting Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

10. List on 10.07.2026.

*11. **To be shown in urgent list.**"*

3. Learned State counsel (on instructions from SI Jaspal Singh) has stated that pursuant to the order dated 03.06.2026, the petitioner has joined investigation, and his custodial interrogation is not required.

4. Having heard learned counsel for the parties and upon perusal of the record; especially in view of the factum of the petitioner having joined investigation and his custodial interrogation is not being sought for by the State; the interim order dated 03.06.2026 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

5. Petition stands **allowed**, accordingly.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

July 10, 2026

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No