



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

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**CRM-M-23041-2025
Decided on: 23.07.2025**

GURTEJ SINGH

.....Petitioner

Versus**STATE OF PUNJAB**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. On 30.04.2025, following order was passed:-

“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 petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Gurtej Singh, aged about 40 years	51	18.03.2025	408, 420, 120-B of IPC	City Sunam	Sangrur

2. Learned counsel for the petitioner, inter alia, contends that the complainant, Joga Singh, had initially made specific allegations in his complaint dated 25.11.2024, solely against the accused, Harwinder Singh, who allegedly duped him by obtaining two signed cheques under the pretext of opening a new bank account, and thereupon, withdrew a total amount of Rs. 3 lakhs (one cheque for Rs. 1 lakh and another for Rs. 2 lakhs).

Further, it is submitted that, as per the admitted case of the complainant, he was already operating two bank accounts, i.e. account Nos. 914010050222194 and 923010001838524, with Axis Bank. In his complaint dated 25.11.2024, the



complainant stated that he came to know about the fraud committed by Harwinder Singh in connection with the purchase of a piece of land. Upon making inquiries regarding the status of the funds in his bank account, he discovered misappropriation of funds and thereafter, submitted the present complaint, seeking action against Harwinder Singh.

3. *It is also pointed out by counsel for the petitioner that in the complaint dated 25.11.2024, there is nothing alleged against the petitioner – Gurtej Singh, for the withdrawal of the amount through ATM in the year 2023.*

It is also argued that it is highly improbable for the petitioner, only being an employee at an ATM, to have withdrawn a substantial amount of Rs.18 lakhs from the bank. The banking system does not permit such large cash withdrawals through ATM, at a single point in time, as the maximum limit for individual ATM withdrawals is generally restricted to Rs. 10,000/- or Rs. 20,000/-. Furthermore, the overall maximum daily withdrawal limit through ATM is fixed at Rs.40,000/-.

4. *He further submits that already an amount of Rs.7,85,000/-has been re-deposited by the petitioner in the bank account of the complainant – Joga Singh. Apart this, several times, there is a transfer of amount from the bank account of the petitioner to the bank account of the complainant between the period 21.02.2024 to 28.02.2024, and purposely, to twist the arm of the petitioner, complainant has not disclosed all the facts in his complaint.*

It is also submitted that there was no specific allegation made by the complainant against the petitioner in his original complaint. Rather, petitioner appears to have been falsely implicated in a concocted version of events, at the instance of the investigating agency. A perusal of the bank account statements reveal multiple instances of withdrawals and deposits, which are clearly recorded. Therefore, it is contended that evidence in the present case is primarily documentary in nature, based on bank records, and as such, custodial interrogation of the petitioner is neither necessary nor justified.

Further submits that if the petitioner is protected from arrest, he is ready to join the investigation. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

5. *Notice of motion.*



6. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 23.07.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”*

3. Learned counsel for the petitioner contends that in compliance of the order dated 30.04.2025 passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel has filed status report dated 22.07.2025 in the Court today and the same is taken on record.

Learned State counsel on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and since custodial interrogation is no more required, present petition is allowed and ad-interim order dated 30.04.2025, passed by this Court is hereby made absolute.



However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.07.2025
Lavisha

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