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

**CRM-M No.32130 of 2025
Date of Decision: 03.09.2025
Reserved on: 27.08.2025**

Prince ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naresh Chander, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
255	01.09.2021	Tripuri Patiala, District Patiala	420, 406, 409 and 120-B of IPC

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of complaint lodged by Gurwinder Singh, Branch Manager of R.B.L. Finserve Limited, Patiala alleging that the petitioner was working as Field Officer/Group Loan Officer with the Patiala branch of the

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aforementioned Financial Institution since 14.10.2019. His work was to distribute loan in the villages and to collect monthly instalments of loan from the loanees and deposit the same with the branch. During the period from May to December 2020, he had collected an amount of Rs.2,55,590/- from 124 members/loanees but did not deposit the same with the bank and had retained the same with himself. On conducting inquiry, it was also revealed that he had done so in connivance with the Branch Manager Manjit Singh since in case of non-receipt of the instalments from the members/loanees, it was the duty of the branch manager to accompany the group loan officer to collect the instalments but nothing of that sort was done by the co-accused Manjit Singh. After registration of FIR against the petitioner and the co-accused, investigation proceedings have been initiated and the investigation is still underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Patiala vide order dated 28.09.2021.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, he had left the job from the bank in the month of December 2020 but this FIR was lodged after a gap of nine months. Co-accused had quit his job on 15.05.2021. The entire cash amount which was collected by him during the course of each day was handed over to the co-accused and it was the duty of the co-accused Manjit Singh who was branch manager to deposit the same in the bank account of the

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respective members. The members also received telephonic text message of instalment received on daily basis. Infact, it was the co-accused who had not deposited the disputed amount after being handed over the same to him by the petitioner. The petitioner had joined inquiry as well as investigation. He is still ready to join the investigation. His custodial interrogation is not required. Neither any recovery is to be effected from him. The co-accused Manjit Singh has been extended benefit of anticipatory bail. On parity, he too deserves to be extended the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations as levelled against the petitioner coupled with the fact that no exceptional or extraordinary circumstance for grant of pre arrest bail is made out, the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have collected instalments of loan of about Rs.2,55,590/- from the members/customers of the bank and is also alleged to have issued payment receipts but this amount which was pertaining to the period from May to December, 2020 was not deposited with the bank. The petitioner has also not produced any proof qua depositing such amount with the co-accused. The case is at its nascent stage. It is well settled proposition of law that powers for grant of pre arrest bail are to be exercised in extraordinary and exceptional circumstances but no such

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circumstance is shown to have been made out in this case. The case of the co-accused who has been extended benefit of pre arrest bail cannot be treated to be at parity with the case of the petitioner and it was he who had received money from the customers and who is required to explain as to what had happened with the same. The custodial interrogation of petitioner is certainly required for proper and effective investigation of the matter. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. Accordingly, finding no reason to allow the petition, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

03.09.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No