



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

CRM-M-50196-2024

Date of decision: 04.12.2024

GURMEET SINGH

....PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Vivek Singla, Advocate for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
31	10.02.2024	406, 420, 506, 120-B of IPC	Tripri, District Patiala.

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.10.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 21.10.2024.

3. Learned State counsel, on instructions from ASI Harjinder Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 21.10.2024, following order was passed:

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case while getting the instant FIR registered in connivance with the police, by the complainant making the



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dispute inter se between the parties arising out of the agreement to sell dated 24.09.2024, basically making a civil dispute to a criminal one. He contends that the petitioner happen to be the owner in possession of the property in question which had been agreed to be sold to the complainant vide the aforesaid agreement to sell and thereafter a sale deed was to be executed on 30.05.2024 but the date of execution of the sale deed was extended upto 30.06.2023 and on that date, the petitioner had gone to the office of the Sub Registrar for getting the sale deed executed but the complainant party did not turn up.

3. It is further contended by learned counsel for the petitioner that thereafter a legal notice dated 26.07.2023 was issued by the petitioner asking the complainant to get the sale deed registered by appearing before the Sub Registrar on 10.08.2023 but on the said date again, no body had turned up on behalf of the complainant. He contends that the reply dated 08.03.2023 in the aforesaid notice was given by the complainant party alleging some mortgage deed and pendency of one civil suit which was clarified by sending the counter reply by the petitioner dated 21.09.2023 (Annexure P-6), clarifying that the same is an impediment on the execution of the sale deed. He contends that the petitioner being the owner in possession of the property is still ready and willing to execute the sale deed but it is the complainant party who is avoiding the same. He further contends that the petitioner is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Harjinder Singh, prays for time to file the status report/reply in the matter.

6. Mr. Ramandeep, Advocate, has entered appearance on behalf of the complainant and filed his vakalatnama to assist learned State counsel in the matter. The same is taken on record. He has submitted that there was no default on the part of the

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complainant in executing the sale deed but it was the petitioner who could not fulfill the conditions as per the agreement

7. Adjourned to 25.11.2024.

8. Needful be done well before the date fixed with an advance copy to the counsel opposite.

9. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS).”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 21.10.2024 passed by this Court, interim bail granted vide order dated 21.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

04.12.2024
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