



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

210

CRM-M-3449-2025 (O&M)
Date of decision: 21.02.2025

Muneem @ Manish Ram
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Anmol Thakur, Advocate
for Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Ms. G.K. Mann, Sr. Advocate
with Mr. Anmol Jeevan Singh, Advocate for complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.31 dated 11.04.2020 under Sections 420 & 120-B of the Indian Penal Code, 1860, registered at Police Station Raja Sansi, Amritsar Rural.

2. On 22.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the matter is purely civil in nature. As per the case set up by the prosecution, the allegations are that the petitioner purchased agricultural produce from the complainant and did not make the payment. Learned counsel further contends that it is civil liability arising out of sale and purchase of agricultural produce. Moreover, the maximum sentence provided for the offences, under



which the FIR (supra) is registered, is punishable upto 07 years. The petitioner is having clean antecedents and he is not involved in any other case.

Notice of motion for 21.02.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."



3. Learned State counsel, on instructions from ASI Jasbir Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. On the other hand, learned senior counsel appearing for the complainant strongly opposes the prayer of the petitioner on the ground that the allegations levelled against the petitioner, involves non-payment for agricultural produce which he purchased from the complainant, are of criminal nature, specifically involving dishonesty and fraudulent conduct, and the same cannot be reduced to a mere civil dispute.
5. However, in view of the statement made by learned State counsel, order dated 22.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
6. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.02.2025
yakub

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