



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
223

CRM-M-6721-2025 (O&M)
Date of decision: 04.03.2025

Bhuchar Singh
State of Punjab
Versus
....Petitioner
....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Singla, Advocate
with Ms. Anchal Singla, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Nirmaljeet Singh Sidhu, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory
bail in FIR No.03 dated 06.01.2025 under Sections 420 & 120-B of the
Indian Penal Code, 1860, registered at Police Station City Rampura,
District Bathinda.

2. On 05.02.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia,
contends that the dispute between the parties is purely civil
in nature and the alleged business transaction will not
attract the offences under Sections 420 & 120-B of IPC
(now Sections 318(4) & 61(2) of Bharatiya Nyaya Sanhita,
2023) and there is a delay of 08 months in registration of



FIR (supra). Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Nirmaljeet Singh Sidhu, Advocate accepts notice on behalf of the complainant and files his Vakalatnama in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Learned State counsel, assisted by learned counsel for the complainant, vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that intention to cheat from the very inception is apparent on record.

Adjourned to 04.03.2025.

*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 assisted by learned counsel for the complainant and on instructions from ASI Akshay Kumar, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 05.02.2025 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).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

04.03.2025

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