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

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CRM-M-7890-2025 (O&M)  
Date of decision: 07.03.2025

**Deepak and others****...Petitioners****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Barjinder Singh, Advocate  
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. S. K. Aneja, Advocate and  
Mr. Yogesh Aneja, Advocate  
for the complainant.

**MANISHA BATRA, J. (Oral)**

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS'), the petitioners seek anticipatory bail in case arising out of FIR No. 19 dated 31.01.2023, registered under Sections 420, 465, 467, 468, 471, 166 and 120- B of IPC at Police Station City Fazilka, District Fazilka.

2. Vide order dated 13.02.2025, passed by this Court, the petitioners were released on interim bail and were directed to join investigation. Order dated 13.02.2025, passed by this Court, reads as under:

“...The aforementioned FIR had been registered on the basis of a complaint lodged by the complainant-Ranvir Singh alleging therein that Balram, who was Predecessor in interest of the present petitioner was allotted some surplus land at village Khanwala in pursuance of an order

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dated 14.11.1985 passed by the Collector, Agrarian, Fazilka. Out of the said surplus land, Balram sold 24 kanals of land to the complainant vide a registered sale deed dated 15.05.2007. Mutation thereof was also sanctioned in the name of the complainant and he had been cultivating the same. The other share of that land which was owned by Balram, had been sold by his legal heirs to some other vendees. However, in connivance with the Revenue Officials/Officers, the petitioners and other legal heirs got incorporated their names in the revenue record as co-sharers of the land, sold to the complainant as well. The complainant transferred the land purchased by him to his son by a transfer deed dated 12.09.2016. It was alleged that despite knowing that the petitioners and other accused namely Ashok Kumar, Savitri Devi, Sudesh Kumar and Virender Kumar had no concern with the land sold to the petitioners, moved an application for partition of the same before the Revenue Officer with an intention to grab the same. While alleging that the petitioners and the co-accused had committed offences of cheating and forgery, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, present petitioners had moved an application for grant of pre-arrest bail before the learned Sessions Judge, Fazilka which was dismissed vide order dated 15.01.2025.

The present petition has been filed by the petitioners on the grounds and it is argued by his counsel that they have been falsely implicated in this case. The dispute between the parties is purely of civil nature which has been given a color of criminal case. On the same allegations, the complainant moved complaints against the petitioners and co-accused. The same have been inquired into and found to

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be false. Even cancellation report had also been prepared in the matter but it was only on the direction given by the trial Magistrate to conduct further investigation, that the same has not been accepted. The case is based on documentary evidence. Custodial interrogation of the petitioners is not at all required. They are ready to join the investigation. No recovery is to be effected from them. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

Notice of motion.

Learned Senior Deputy Advocate General, Punjab who has advance notice of the petition, accepts the same.

At this stage, Mr. Suresh Kumar Aneja, Advocate and Mr. Yogesh Kumar Aneja, Advocate have put in their appearance on behalf of the complainant and filed their Power of Attorney.

Adjourned to 07.03.2025.

The petitioners were allegedly witnesses to the proceedings conducted by the Revenue Authority regarding handing over of possession in pursuance of representation made by the co-accused.

In the meantime, the petitioners are directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

It would, however, be opened to the learned Senior Deputy Advocate General, Punjab to file a reply indicating

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the involvement of the petitioners and all aspects would be considered at the time of final adjudication of the matter.”

3. Learned State counsel, on instructions from HC Ranjeet Singh, has submitted that the petitioners have joined investigation on 19.02.2025 and they are not required for custodial interrogation. However, learned counsel for the complainant has resisted the prayer of the petitioners by submitting that the allegations are serious in nature.

4. Keeping in view the above mentioned facts and circumstances, this Court is of the considered opinion that the pre-trial incarceration of the petitioners is not required. Accordingly, the present petition is allowed and the order dated 13.02.2025, granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 482(2) of BNSS, 2023.

5. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

07.03.2025

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*