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

CRM-M-8580-2025

Date of Decision: 28.03.2025

Yash Chadha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.P. Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No.09 dated 31.01.2025 (Annexure P-1) under Sections 420/120B of IPC, 1860 registered at Police Station Mehna, District Moga.

2. Vide order dated 14.02.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 14.02.2025, passed by this Court, reads as under:

“The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 9 dated 31.01.2025 registered under Sections 420 and 120-B of IPC at Police Station P.S. Mehna, District Moga, Punjab.

As per the allegations, the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Jagdeep Singh Brar alleging that the accused Dimple Chadha,

who is father of the present petitioner had agreed to sell a plot measuring 14 marla in favour of the complainant. An amount of Rs.9,00,000/- had been received by him as earnest money but later on, he changed the terms and conditions of the agreement and instead of a plot, he agreed to sell five shops to the complainant after receiving another amount of Rs.5,00,000/- from him. He did not execute sale deed in favour of the complainant and kept on putting of the matter on one pretext and other, even after receipt of a total amount of Rs.27,90,000/-. The complainant insisted for registration of sale deed and to pacify him, the accused Dimple Chadha got transferred an amount of Rs.1,40,000/- from the saving bank account of the petitioner to the bank account of the complainant. Subsequently, a settlement had been arrived at between the parties. The accused Dimple Chadha issued three cheques for a sum of Rs. 3,00,000/- each, the same were however, dishonored. While alleging that the petitioner and co-accused had cheated him by causing wrongful loss to him, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no allegations against him about making any inducement whatsoever to the complainant. He is not beneficiary of any amount of money from the complainant. The ingredients for commission of offence under Section 420 of IPC are not at all attracted against him. The only allegation against him is qua transfer of an amount of Rs.1,40,000/- from his bank account in favour of the complainant which do not justify his prosecution. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

Notice of motion.

On asking of the Court, Ms. Ruchika Sabherwal, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 28.03.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner 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 Advocate General, Punjab to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 20.02.2025 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 14.02.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

28.03.2025

Parveen kumar

**(MANISHA BATRA)
JUDGE**

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