

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-10035-2025
Date of decision: 22.04.2025

JAGTAR SINGH AND ANRPetitioners

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ravi Singh, Advocate for the petitioners.
Mr. Jasdeep Singh, DAG, Punjab.
Mr. B.K. Sharma, Advocate for the complainant.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name and age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
(I) Jagtar Singh (aged about 77 years) (ii) Racchpal Singh @ Raspal Singh (aged about 76 years)	102	04.10.2024	420, 465, 467, 468, 471, 120-B of IPC	Sadar Raikot	Ludhiana

2. Status report by way of an affidavit of Harjinder Singh, PPS, DSP, Raikot, District Ludhiana (Rural) has been filed on behalf of respondent-State. The same is taken on record.

3. On 20.02.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<i>Name and age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>(I) Jagtar Singh (aged about 77 years) (ii) Racchpal Singh @ Raspal Singh (aged about 76 years)</i>	<i>102</i>	<i>04.10.2024</i>	<i>420, 465, 467, 468, 471, 120-B of IPC</i>	<i>Sadar Raikot</i>	<i>Ludhiana</i>

2. Learned counsel for the petitioners, contends as following:

(i) That in pursuance of the alleged excess land recorded in the names of the petitioners, which was purportedly tempered with in connivance with Patwari Mahinder Singh, no sale transaction took place. Consequently, no loss has been suffered by any party in any manner.

(ii) That Patwari – Mahinder Singh, had retired in the year 2011, but the alleged tempering pertains to the year 2015 to 2023.

(iii) That the dispute is entirely of civil nature and the complainants have adopted the arm-twisting method by giving it a criminal colour to the allegations, instead of, filing a civil suit for injunction based upon the ownership rights, which were already recorded in the previous Jamabandis/revenue record, and same has already been filed by the complainant, namely; Pritam Singh only after registration of the FIR in question.

(iv) That the entire evidence relied upon by the prosecution is based on official documents. Therefore, custodial interrogation of the



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petitioners would serve no practical purpose for the prosecution.

(v) That one of the accused namely; Davinder Singh, has already been released on regular bail.

(vi) That petitioners are at the advance stage of their lives and there being no direct evidence against them, their custodial interrogation is not warranted at this stage. Moreover, the petitioners are ready to join process of law by joining investigation and the Court proceedings also. Thus, learned counsel prays for grant of concession of anticipatory bail to the petitioners in the present case.

3. Notice of motion.

4. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions, and, in case of necessity, to file status report.

5. Adjourned to 22.04.2025.

6. In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

7. Besides, the petitioners would submit/surrender their respective passports before the Arresting Officer and an undertaking on oath that in case of leaving the Country, they would seek prior permission from the Investigating Agency/concerned Court.”

4. Learned counsel for the petitioners contends that in compliance of the order dated 20.02.2025, passed by this Court, the petitioners have joined the investigation, and have fully co-operated.

5. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by submitting that the petitioners have in



fact cheated the complainant and has committed forgery with the final report/revenue record, and thus they are not entitled for the grant of anticipatory bail.

6. Learned State counsel on instructions from the Investigating Officer confirms the said averment made by counsel for the petitioners and submits that the custodial interrogation of the petitioners would not be required now for the purpose of investigation.

7. Heard learned counsel for the parties.

8. Since the petitioners have joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 20.02.2025, passed by this Court is hereby made absolute.

9. However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

10. Accordingly, petition stands disposed of.

22.04.2025
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No