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

**CRM-M-10830-2025 (O&M)**

**Date of decision: 19.03.2025**

Jaspreet Singh

...Petitioner

*Versus*

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present:- Mr. Supinder Singh Sohi, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab for the respondent.

Mr. R.S.Maur, Advocate for the complainant.

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of pre-arrest bail to the petitioner in FIR No.06 dated 10.01.2025 (P-1), under Section 420 of the Indian Penal Code, 1860 (*for short 'IPC'*), registered at Police Station City Sangrur, District Sangrur.

(2) Allegations are that petitioner dishonestly induced *de facto* complainant-Varinder Singh to deliver 90 grams gold to him with the intention to cheat.

(3) Contends that petitioner was granted interim protection by this Court, vide order dated 25.02.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

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(4) Learned State Counsel, on instructions from the police official concerned submits that although, as on today, petitioner has joined investigation in pursuance of order dated 25.02.2025; but his custodial interrogation is required to effect recovery of the gold.

(5) Learned Counsel for the complainant has also vehemently opposed the prayer of petitioner.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) It transpires that petitioner was granted interim protection by this Court, vide order dated 25.02.2025 and the order reads as under:-

*“Contends, inter alia, that prima facie, no offence is made out against the petitioner.*

*Notice of motion.*

*Mr.Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of the respondent-State; seek time to have instructions and/or to file written response in the matter.*

*Posted for 19.03.2025.*

*Investigating Officer shall come present in Court alongwith status report on the next date of hearing.*

*In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.*

*Be shown in Urgent List.”*

(8) To a pointed query, as to whether there is any material in the form of Cash Memos/Bills to substantiate that *de facto* complainant handed over the alleged gold to petitioner, the response of learned State counsel as

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well as learned Counsel for the complainant was in the negative. They also failed to show any book(s) of account(s) or ledger entry(ies) in this regard. Therefore, in such a scenario, mere allegation of prosecution that petitioner received gold from *de facto* complainant cannot be accepted.

(9) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 25.02.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(11) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(12) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

19<sup>th</sup> March, 2025  
Gagan

( MAHABIR SINGH SINDHU )  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |