



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216

CRM-M-11709-2025 (O&M)
Date of decision: 03.04.2025

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

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Sharma, Advocate
for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.19 dated 13.02.2025 under Sections 406, 420, 120-B of the Indian Penal Code, 1860, registered at Police Station City-I, Sangrur, District Sangrur.

2. On 03.03.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that admittedly, the dispute between the parties is purely civil in nature, which arose on account of non-fulfillment of the conditions of a contract between them. The FIR (supra) has been registered after a lapse of 02 years, which creates a serious dent on the case set up by the prosecution. Further, the petitioner is not the beneficiary of any deposit made by the complainant in his bank account.

Notice of motion for 03.04.2025.



*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 438(2) of Cr.P.C. (now Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023).*

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, on instructions from ASI Jaswinder Singh, 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 03.03.2025 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

03.04.2025
yakub

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