

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

**CRM-M-12973-2025 (O&M)
Date of decision: 07.07.2025**

Sarabjit Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Arshdeep Singh Brar, Advocate for the petitioners.

Mr. T.P.S.Walia, AAG, Punjab for the respondent.

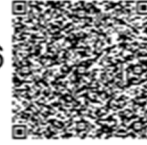
Mr. S.P.S.Sidhu, Advocate for the complainant.

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 petitioners in FIR No.16 dated 13.02.2025 (P-1), under Sections 420, 465, 467, 468, 471 & 120-B of the Indian Penal Code, 1860 (*for short 'IPC'*), registered at Police Station Mehna, District Moga.

(2) Allegations are that petitioners in criminal conspiracy with other accused forged & fabricated several documents and duped the *de facto* complainant to crores of rupees.

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(3) Learned Counsel contends that both the petitioners were granted interim protection by this Court vide order dated 14.05.2025 and in pursuance thereof, they have already joined the investigation; hence, their custodial interrogation is not required.

(4) The above factual position is not disputed by learned State Counsel, on instructions from ASI Sukhpal Singh.

(5) On the other hand, learned Counsel for *de facto* complainant vehemently opposed the prayer on the premise that petitioners defrauded *de facto* complainant of huge sum of money and thus, their custodial interrogation is very much necessary.

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

(7) There is no quarrel that petitioners were granted interim protection by this Court, vide order dated 14.05.2025 and the same read as under:-

“Contends, inter alia, that both the petitioners have been nominated on the basis of disclosure made by main accused- Jasjit Singh, who happens to be the son and husband of petitioner Nos.1 & 2, respectively.

Posted for 07.07.2025 for further consideration.

In the meanwhile, petitioners shall join investigation before the Investigating Officer; but they be not arrested till the next date of hearing.”

(8) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation.

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(9) Since learned State Counsel is not asking for custodial interrogation of petitioners, therefore, the objection raised by learned Counsel for the complainant is rejected.

(10) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners.

(11) Consequently, present petition is allowed; interim order dated 14.05.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

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

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

(14) It is also clarified that in case of any recurrence on the part of petitioners, 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.

7th July, 2025
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>