



221

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

CRM-M-15921-2025**Date of Decision:05.05.2025**

Avtar Singh and another

...Petitioners

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. G.S.Sandhu, Advocate
for the petitioners.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Arshdeep Singh Khaira, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to them in case FIR No.0004 dated 29.01.2025, registered under Sections 420, 447, 506, 120-B of IPC, at Police Station NRI, District Jalandhar Rural.

2. While granting the concession of interim anticipatory bail by this Court on 24.03.2025, the following contentions were noticed by this Court and the same have been reproduced below:-

“Learned counsel for the petitioners contends that an advertisement was issued by Indian Oil Corporation on 25.11.2018, regarding the dealership of MS/HSD Kisan Seva Kender at Village Jamaitgarh, District Jalandhar under the open category. Naginder Singh son of Natha Singh executed a lease deed dated 08.01.2019 with petitioner No.2 and the said land was offered by petitioner No.2 for setting up of Kisan Seva Kender. He next submits that it is apparent from the lease deed dated 08.01.2019 (Annexure P-1) that the land

was taken by petitioner No.2 on lease for a period of 20 years i.e. w.e.f. 01.01.2019 to 31.12.2038 @ Rs.15,500/- per annum. Ultimately, the letter of intent dated 21.02.2019 was issued by the Indian Oil Corporation in favor of petitioner No.2. Petitioner No.2 applied for NOC with different government departments and after following the due procedure, the retail outlet of Indian Oil Corporation (petrol pump) was started by petitioner No.2 on the said land in February 2021. The petitioners are regularly paying the lease amount to the owners of the land. Learned counsel next submits that on 15.04.2024, Naginder Singh, owner of the land, had issued a General Power of Attorney in favour of present complainant, i.e. Harbhajan Singh and now the complainant has started interfering with the possession of the petitioner illegally. Petitioner No.2 also filed a suit for permanent injunction against the complainant and Mangal Singh son of Naginder Singh and vide order dated 24.12.2024, the parties have been directed to maintain status quo regarding the existing possession of the property. Learned counsel further submits that there is essentially a civil dispute between the parties and the complainant has illegally tried to convert the same into a criminal offence.”

3. Learned counsel for the petitioners has reiterated the submissions and further submits that the petitioners have joined the investigation and their custodial interrogation may not be required.

4. Learned State counsel also submits that the petitioners have joined the investigation and are no longer required for further investigation.

5. In view of the statement made by learned counsel for the parties, the present petition is allowed and the interim order dated 24.03.2025 passed by this Court is made absolute. The petitioners shall continue to join investigation,

as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

05.05.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned :
Whether reportable

Yes/No
Yes/No