



206

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

CRM-M-18155-2025

Date of Decision 10.07.2025

Manpreet Singh and others

...Petitioners

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gobind Singh Randhawa, Advocate
for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. B.S.Baath, 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.053 dated 02.05.2024, registered under Sections 379, 457, 149 of IPC, at Police Station Sadar Gurdaspur, District Gurdaspur.

2. Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case on account of party faction in the village. Even the matter is pending before the Civil Court between the parties and a civil dispute has been wrongly converted in a criminal offence, which is not permissible in law. He further contends that while hearing connected cases i.e. CRM-M-42315-2024 titled as "Joginder Singh and another Vs. State of Punjab" and CRM-M-49006-2024 titled as "Satnam Singh Vs. State of Punjab, this Court had ordered the deposit of an amount of Rs.2 lacs as

cost of wheat crop with the trial Court/Area Magistrate and the said amount has already been deposited, subject to outcome of the trial.

3. On the other land, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that the petitioners have trespassed on the land and damaged the crops of the complainant side. However, he admits that the petitioners have joined investigation and no longer required for the said purpose.

4. Learned counsel appearing on behalf of the complainant has also vehemently opposed the submissions made by learned counsel for the petitioners on the ground that they have wrongly stated that they were not having any criminal antecedents, rather 2 FIRs obstructing the public servants and discharge of their official duties, while taking possession over the land in question, were registered and on account of concealment of facts, the petition deserves to be dismissed.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, the allegation against the petitioners was that they had damaged the crops, which were sown on the land of the Gram Panchayat. In the present case, on the one hand, the complainant party is claiming to be in possession, whereas on the other hand, the accused party is also raising their rival claim before the Civil Court. Even the civil litigation is pending with regard to the land in question and the competent Court is yet to adjudicate finally the issue relating to the possession of the land.

7. At this stage, it is not in dispute that the petitioners have joined the investigation and are no longer required for the purpose of investigation. It would be unfair to send them behind bars. Even as per learned counsel for the

petitioners, the petitioners were not aware of the registration of the FIRs and had never received any notice/warrant with regard to the said FIRs. Consequently, it cannot be said that there was any concealment on the parts of the petitioners.

8. In view of the above statement made by learned counsel for the parties, the present petition is allowed and the interim order dated 03.04.2025 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.

(N.S.SHEKHAWAT)
JUDGE

10.07.2025
hemlata

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