



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

210

CRM-M-18485-2025 (O&M)**Date of decision : 21.05.2025**

Jasbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. H.P.S. Sandhu, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been filed for grant of pre-arrest bail to the petitioner in FIR No.113 dated 30.04.2015, under Sections 420 and 120-B of Indian Penal Code, 1860 (*for short 'IPC'*), registered at Police Station Sultanwind, District Amritsar.

(2) Short reply by way of affidavit dated 20.05.2025 of Gagandeep Singh, PPS, Assistant Commissioner of Police (Central), Amritsar City (Additional Charge) on behalf of respondent, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

(3) Allegations are that petitioner duped the *de facto* complainant for an amount of Rs.1,41,75,000/- on the pretext of selling plot measuring 2900 square yards.



(4) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 03.04.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(5) *Per contra*, learned State counsel, on instructions from quarter concerned, acknowledged that although petitioner joined investigation in compliance of order dated 03.04.2025; but recovery of alleged amount is yet to be effected.

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

(7) Petitioner was granted interim bail by this Court, vide order dated 03.04.2025 and the order reads as under:-

“Contends that FIR was registered way back on 30.04.2015 and after investigation police submitted a cancellation report. However, later on, learned Illaqa Magistrate has ordered for further investigation and petitioner is ready to join the investigation, but he be protected.

Notice of motion.

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

Posted for 21.05.2025.

In the meanwhile, petitioner shall join further investigation before the Investigating Officer; but he 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, petitioner has joined investigation. The objection raised by learned State Counsel to the effect that



recovery of money is yet to be effected would not be a ground to deny pre-arrest bail to the petitioner for the reason that State police is not to act as recovery agents of the complainant in such like matters. Moreover, on earlier occasion, after investigation of the matter, police had submitted a cancellation report.

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

(10) Consequently, present petition is allowed; interim order dated 03.04.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

(13) 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.

21.05.2025

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No