

CRM-M-19276-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19276-2025
Reserved on: 16.07.2025
Pronounced on: 29.07.2025

Anuj Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Varun Sharma, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
234	20.09.2024	Navi Baradari, District Police Commissionerate Jalandhar	318, 305 BNS and Section 66(D) of IT Act

1. The petitioner incarcerated in the FIR captioned above has come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 11 of the bail petition, the petitioner declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“....FIR (Supra) came to be registered upon the complaint No.630-Peshi dated 19.09.2024 moved by Rishi Pal Singh against Anuj Singh and Sushila Singh for committing fraud, cheating, criminal intimidation, impersonation and embezzlement of funds about which he came to know when he issued a amounting to cheque dated 07.09.2024 amounting to Rs.5,00,000/- in favour of his nephew Chand Kumar Saini for getting it encashed and the same was dishonored with the remarks "Insufficient Funds" inspite of the fact that he was having an amount of Rs.7,29,339.12 in his bank account. On the enquiry from the bank, he came to know that amounts of Rs.1,00,000/-, 1,00,000/-, 25,000/-, 1,00,000/-, 49000 -/-

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,1,00,000/- and Rs.1,00,000/-were transferred to the account of Anuj Singh on 16.06.2024, 17.06.2024, 18.06.2024, 22.06.2024, 29.06.2024, 07.08.2024 and 09.09.2024, respectively through UPI Payments. Further an amount of 1,00,000/- were transferred to the account of Sushila Singh @ Nilam Singh on 18.06.2024 and 21.06.2024, respectively. Since the complainant is 90 years old and is not familiar with any online mode of payment app or UPI payment app and the petitioner (care taker of complainant) in connivance with co-accused Sushila Singh transferred the abovesaid amounts from the account of complainant in part payments to their accounts. Hence, FIR No.234 dated 20.09.2024 U/s 318(5) BNS & Section 66 of I.T. Act was registered against them.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“The role of the petitioner-

i) Petitioner was care taker of complainant who is 92 years old but the petitioner had transferred Rs.1,00,000/-, 1,00,000/-, 25,000/-, 1,00,000/-, 49,000/-, 1,00,000/- and Rs. 1,00,000/- to his account Singh on 16.06.2024, 17.06.2024, 18.06.2024, 22.06.2024, 29.06.2024, 07.08.2024 and 09.09.2024, respectively through UPI payments.

ii) Further an amount of Rs.1,00,000/- was transferred to the account of Sushila Singh @ Nilam Singh on 18.06.2024 and 21.06.2024 respectively.

iii) Petitioner had also stolen one Gold Chain weighing 5 Tolas and two Gold Rings weighing 1.5 Tolas each.”

REASONING:

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per the custody certificate dated 15.07.2025 the petitioner's total custody in this FIR is 09 months & 20 days. Given the penal provisions invoked viz-a-viz pre-trial

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custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

13. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

14. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

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16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.07.2025
anju rani

Whether speaking/reasoned: Yes

Whether reportable: No.