



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

CRM-M-19967-2025 (O&M)

Date of Decision: 12.05.2025

TEJ PARKASH SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Avikaran Bansal, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Ms. Amandeep Kaur, Advocate for
Mr. Sandeep Ahlawat, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.70 dated 15.03.2025 under Sections 406, 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Kharar, District SAS Nagar (Mohali).

2. On 09.04.2025, following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.70 dated 15.03.2025 under Sections 406, 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Kharar, District SAS Nagar (Mohali).

Learned counsel for the petitioner, inter alia, contends that there is no agreement to sell between the complainant and the petitioner. The complainant signed the agreement to sell with one Mandeep Bajwa in the presence of Harpinder Singh and Rashpal Singh and said Mandeep Bajwa has not been made an accused by the investigating agency, in

spite of the fact that his name is mentioned in the initial complaint made by the complainant. Further, the petitioner has no concern with the property dispute between the complainant and owner of the property. The petitioner is a contractor and he has role in the purchase or sell of the property in dispute and he only constructed some structure after receiving Rs.2.50 lakhs.

Notice of motion for 09.05.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Learned State counsel on instructions from ASI Kamaljeet Singh, submits that in compliance of order dated 09.04.2025 passed by this

Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 09.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.
5. The petition is accordingly disposed of.

12.05.2025
Ajay Goswami

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(HARPREET SINGH BRAR)

JUDGE