



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

217

**CRM-M-23114-2025
Date of Decision: 03.07.2025**

Mandeep Singh Mavi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. R.K. Grewal, Advocate for
Ms. Amandeep Kaur, Advocate
the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of Code of Criminal Procedure, (fort short 'Cr.P.C.') read with Section 482 of Bharatiya Nagarik Surakhsa Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to petitioner in FIR No.393 dated 22.12.2021, under Section 420 of the Indian Penal Code, 1860 registered at Police Station City Kharar, District SAS Nagar.

2. Allegations are that petitioner in connivance with co-accused fraudulently cheated the *de facto* complainant namely Shamsher Kaur by selling her plot measuring 220 square yards to two persons, namely, Naresh Kumar and Kiran Kamal.



3. Contends that petitioner was granted interim bail by this Court on 01.05.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel on instructions from quarter concerned, and submits that his custodial interrogation is not required at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that while issuing notice of motion, petitioner was granted interim protection by this Court on 01.05.2025 and the order reads as under:-

“Contends, inter alia, that co-accused, namely, Rakesh Kumar with similar allegations has already been granted pre-arrest bail on 24.04.2025 (P-8) in CRM-M-19440-2025 passed by this Court.

Notice of motion.

Mr. T.P.S. Walia, learned AAG, Punjab accepts notice on behalf of the respondent; seeks time to have instructions and/or to file written response in the matter.

Posted for 03.07.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.



8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 01.05.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

11. 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.

03.07.2025

Ithlesh

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No