

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

Sr. No.: 208

**Criminal Miscellaneous No.M-22836 of 2025****Date of Decision: August 25, 2025**Jagmeet Singh

..... PETITIONER(S)

*VERSUS*State of Punjab

..... RESPONDENT(S)

**CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA****PRESENT:** - Mr. Shubham Goyal, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

**SUBHAS MEHLA, J**

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case FIR No.25 dated 19.02.2025, under Sections 318(4), 336, 338, 336(2) and 340 of Bharatiya Nyaya Sanhita, 2023, registered at Police Station, Navi Baradari, District Jalandhar.

2. Dr. Arpna Kholsa is the complainant, who is Chairperson/President of Satyapal Khosla Charitable Trust. She alleged that petitioner is in possession of two floors measuring 5692 square feet. Property in dispute was let out to the petitioner vide rent agreement dated 03.11.2017 for monthly rent @ ₹ 20,000/-. Vide ejectment order dated 21.07.2022 passed by the Rent Controller, Jalandhar, the petitioner had been directed to vacate the premises. Complainant filed an application claiming mesne profit @ ₹ 50,000/-. Petitioner, in order to deprive the complainant of the amount, in conspiracy with his wife Geeta forged and fabricated a rent agreement, on the basis of which, Geeta filed third party objections before the Executing Court whereas she was never a tenant. Various litigations are pending between the



parties. Petitioner lost before the Courts below. He filed an SLP before the Supreme Court, wherein notice has been issued to the respondent and interim stay was granted subject to petitioner's depositing the entire outstanding rent within a period of four weeks. The objections filed by Geeta have been dismissed by the Executing Court vide order dated 19.10.2024 where-against the appeal filed by the petitioner is pending before the appellate Authority. In this background of facts, the present FIR has been registered at the instance of complainant.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The dispute between the parties is of civil nature. Antecedents of the petitioner are clean and he is ready to join investigation.

4. Learned State counsel, on the basis of reply filed by way of an affidavit of Assistant Commissioner of Police, Central, Jalandhar, has opposed the prayer made by learned counsel for the petitioner. Petitioner in connivance of his wife Geeta, forged and fabricated a rent agreement dated 28.03.2018 during execution proceedings to obstruct the law eviction and to avoid payment of mesne profits.

5. Heard.

6. It is revealed from the reply filed on behalf of the State that petitioner, his wife Geeta and co-accused Mukesh were summoned to join the inquiry proceedings. However, petitioner alone joined but he failed to give satisfactory explanation of the questioned rent agreement. The Inquiry Officer concluded that the rent agreement bore forged signatures, lacked proper stamp duty and registration. The documents were forged to obstruct lawful

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[3]

possession proceedings; aiming at cheating the charitable trust; and misleading the Court. During investigation, it surfaced that rent agreement in question was never executed by the original landlord. Evidence in the form of rent records, witness depositions and expert opinion confirmed the fabrication of the document, and it establishes the active participation of petitioner and co-accused in the criminal conspiracy to obstruct lawful eviction proceedings.

7. The petitioner is required for custodial interrogation to trace out true facts. Thus, he is not entitled to the discretionary relief of anticipatory bail as held by Supreme Court in **“State represented by the C.B.I. Thomas, JJ. Vs. Anil Sharma, Criminal Appeal No.811 of 1997** [Arising out of SLP (Crl.) No.1127 of 1997], decided on 3.9.1997 relevant whereof reads as under:-

“4. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person know that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible

Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders”

8.                   The custodial interrogation of the petitioner is necessary in the given circumstances. Accordingly, the petition is dismissed.
9.                   The observations made herein are for disposal of the present petition and shall not be construed as opinion on the merits of the case.

(SUBHAS MEHLA)  
JUDGE

August 25, 2025  
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| <u>Whether Speaking/ Reasoned:</u> | <u>Yes/ No</u> |
| <u>Whether Reportable:</u>         | <u>Yes/ No</u> |