

**CRM-M-23791-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr.No.201****Case No. : CRM-M-23791-2025****Decided On : May 16, 2025**

Varinder Kumar

.... Petitioner

vs.

State of Punjab

.... Respondent

**CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.**

\* \* \*

**Present : Mr. K.H.S. Bath, Advocate  
for the petitioner.****Mr. P. S. Pandher, AAG, Punjab.**

\* \* \*

**SUKHVINDER KAUR, J. :**

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of pre-arrest bail to the petitioner in FIR No.0057 dated 20.03.2024, under Section 36(1) of the Punjab Apartment and Property Regulation Act, 1995 (for brevity - the Act), registered at Police Station Jamalpur, District Ludhiana.

Learned counsel for the petitioner has contended that the petitioner has not carved out any work of development of colony at the site and land in question is still being cultivated by the land owners. The petitioner has also filed appeal against the order dated 11.09.2020 of Chief Administrator, GLADA, Ludhiana, which is still pending. He argued that the petitioner had approached the Department for regularizing the colony but the Authority had rejected the case without giving any opportunity of being

**CRM-M-23791-2025****2**

heard. He urged that nothing is to be recovered from the petitioner and he is ready to join the investigation and co-operate with the investigating agency. He has also referred to **CRM-M-38621 of 2024** and **CRM-39884-2024**, wherein, for the similar offences, anticipatory bail has been granted by the Co-ordinate Benches of this Court.

Notice in this case was issued on 03.05.2025 and Status Report was called from the State, which has been filed today in the Court and is taken on record.

Learned State counsel opposed the bail petition and has contended that the petitioner has contravened the provisions of the Act to initiate the development of a residential colony without obtaining prior approval or license and he does not deserve concession of anticipatory bail.

Heard.

As per the allegations, the petitioner developed an unauthorized colony despite rejection of his application for its regularization by the competent Authority of GLADA, Ludhiana. The petitioner has availed the statutory remedy available to him by way of filing appeal against the aforesaid order with Appellate Authority at Punjab Urban Development Authority (PUDA), S.A.S. Nagar (Mohali), which is pending adjudication. The case is based on documentary evidence. Custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from him. So, no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of his arrest, the petitioner is



ordered to be released on bail, on her furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

May 16, 2025

monika

(SUKHVINDER KAUR)  
JUDGE

|                             |         |
|-----------------------------|---------|
| Whether speaking/reasoned ? | Yes/No. |
| Whether reportable ?        | Yes/No. |