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

CRM-M-26010-2025

Date of decision: 14.07.2025

Hardev Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.86 dated 26.07.2024 under Sections 419/420 of IPC registered at Police
Station Mehatpur District Jalandhar (Rural).

On 13.05.2025, the 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.86 dated 26.07.2024 under Sections 419 &
420 of the Indian Penal Code, 1860, registered at Police Station
Mehatpur, District Jalandhar (Rural).*

*Learned counsel for the petitioner, inter alia, contends that the
complainant is son of the petitioner. The land in question was
originally owned by father-in-law of the petitioner, who transferred
the same in the name of wife of the petitioner and she further
transferred some part of the property in favour of her younger son,
namely Kuljit Singh. The complainant has already sold his share and
he was present before the revenue authorities at the time of
sanctioning of the mutation on 07.04.2022, whereas the complaint, on
the basis of which, FIR (supra) has been registered, was presented on
11.03.2024. Moreover, the maximum sentence provided for the
offences, under which the FIR (supra) is registered, is punishable upto
07 years.*

Notice of motion for 14.07.2025.

*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)*



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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.'

Learned State counsel on instructions from SI Kashmir Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 13.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

14.07.2025

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No