



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

CRM-M-27014-2025

Reserved on: 19th August, 2025

Pronounced on: 27th August, 2025

Jasdeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gurpreet Singh Bhasin, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

Mr. Tanvir S. Grewal, Advocate for respondent No.2.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 39 dated 23.05.2024 registered under Sections 406, 420, 465, 467, 468 and 471 of IPC at Police Station Bajakhana, District Faridkot.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Ajay Kumar Garg, alleging that his wife Anjana Garg and sister-in-law Parveen Garg entered into an agreement to purchase land measuring 12 kanals with the petitioner on 27.04.2023. The petitioner had received a sum of Rs 30 lakh as earnest money at the time of execution of the agreement and had agreed to get the sale deed registered in favour of his wife and sister-in-law by 30.05.2023. Subsequently, he



requested for extension of date of registration of sale deed till 30.06.2023, but, still did not execute it. When he was asked to return the earnest money amount, he started extending threats. As such, prayer had been made for taking action.

3. As revealed from the record, on receipt of the complaint, an inquiry was conducted into the matter and it was revealed that, in fact, the petitioner had entered into an agreement to sell his property with the wife and sister-in-law of the complainant on 23.02.2023. He had also received earnest money of Rs. 30,00,000/-. The sale deed was to be registered by 15.03.2023. On 27.04.2023, the parties had agreed to extend the date for registration of sale date till 30.05.2023 and then till 10.06.2023. Sale deed was not executed by the petitioner till 30.06.2023. It was also revealed that some part of the land which was agreed to be sold by the petitioner was acquired by National Highway Authorities and this fact had been concealed by the petitioner. During investigation, the petitioner was arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, the dispute between the parties is of civil nature, which has been given a criminal colour. It was the complainant party, who had cheated and defrauded the complainant since as per the agreement to sell executed between them, the sale deed was to be registered on or before 15.03.2023, however, the complainant by forging the signatures of the petitioner got prepared another agreement showing extension of date for registration of sale deed to be 23.04.2023, though the earnest money amount stood forfeited on 15.03.2023. It is submitted that the



petitioner has clean antecedents. No recovery has been effected from him. The complainant had very shrewdly concealed the factum of agreement dated 23.02.2023 between the parties. The subject offences are triable by magistrate. Offences under Sections 406 and 420 of IPC are antithesis to each other and cannot sustain together. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petitioner deserves to be released on bail.

5. Reply has been filed by No. 1-State. Learned State counsel assisted by learned counsel for respondent No. 2 has argued that there are serious and specific allegations against the petitioner as in fact he had concealed the fact that a part of the property which was agreed to be sold by him, had been acquired. The agreement dated 23.02.2023 had been signed by the petitioner only and this fact was admitted by him in the protection petition as filed by him. There are chances of petitioner's absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner is alleged to have committed the offence of cheating, forgery, and criminal breach of trust. However, the offences under Sections 406 and 412 of IPC are antithesis to each other. The subject offences are triable by Magistrate. The petitioner is in custody since 02.05.2025. The trial will take time to conclude. Civil litigation with regard to the agreement in question is pending between the parties. It is also well settled that pre-trial incarceration should not be a replica of post-conviction.



Given the nature of the allegations as leveled against the petitioner, the period spent by him in custody and the attendant facts and circumstances but without meaning to make any comment on the merits of the case this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*