

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

2025:PHHC:082240



213

CRM-M-26811-2025

Date of decision:09.07.2025

Prem Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mikhail Kad, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Amar Jeet, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.80, dated 19.04.2025, under Sections 305, 329(4), 62, 351(2), 3(5) of BNS, registered at Police Station Lehra, District Sangrur.
2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Prem Chand alleging therein that there was some dispute between him and accused Baldeep Singh over some money transaction. In the month of January, 2024, he had gone to stay with his son at Chandigarh. On 26.01.2024, he was informed by his brother, who lived in his neighbourhood at village Lehra that the present petitioner had tried to take possession of his plot and house by breaking open the locks of the same. The complainant went back to his house at Lehra and found that the locks of the house and plot were broken and old tyres etc. had been

thrown in the same. The petitioner in connivance with accused Baldeep Singh had taken possession of his house and plot and had extended threats to kill him. He also alleged that some gold and silver ornaments kept in the almirah of his house as well as some important documents and a refrigerator had been stolen by the petitioner and co-accused. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which was dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 07.05.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The police had conducted inquiry before registration of the FIR and the petitioner was not found to be involved in the occurrence. Recommendation for exonerating him had been made. However, inquiry was conducted again and he was implicated in this case. Infact it is a civil dispute between the complainant and accused Baldeep Singh which has been given a criminal colour. The allegations as levelled in the FIR do not make out any case for commission of subject offences as against the petitioner. He is ready to join investigation. His custodial interrogation is not required. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that there are grave allegations against the petitioner. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is required. He is involved in two more cases. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned

counsel for the parties carefully.

6. The petitioner along with co-accused is alleged to have made an attempt to criminally trespass into the property of the complainant and is further alleged to have committed theft of some articles from the house of the complainant and is also alleged to have criminally intimidated him. The subject offences are triable by the Magistrate. No specific overt act has been attributed to him. It is not the version in the prosecution that any theft had been committed by the petitioner. Given the nature of allegations, this Court is of the opinion that the pre-trial incarceration of the petitioner is not required and a case for pre-arrest bail is made out.

7. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his surrendering before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

8. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

9. Pending application(s), if any, shall also stands disposed of.

(MANISHA BATRA)
JUDGE

09.07.2025

harjeet

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