

2025:PHHC:069050



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28298-2025
DECIDED ON: 22.05.2025

GURPREET SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Saurav Kanojia, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.108, dated 22.04.2025, under Sections 319(2), 318(4), 336(2), 338, 336(3), 340(2) and 61(2) of BNS, 2023 registered at Police Station Division No.5, District Ludhiana.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Today an order No. 82 dated 07-04-2025 from the Hon'ble Court of Mr. Simrandeep Singh Sohi JMIC Ludhiana has been received the content of which is as follows, "From, Simrandeep Singh Sohi, PCS Judicial Magistrate 1st Class, Ludhiana. To, SHO, P.S. Division No.5-cum-Chownki Incharge, Police Post Judicial Court Complex, Ludhiana. Sub: To register FIR against (1) Navjinder Singh and against unknown persons (fake surety and fake witnesses) Respected

Sir, It is for your information and necessary action that on 11.08.2023, accused namely Navjinder Singh, son of Gurcharan Singh, resident of village Sattowal, District Ludhiana-141007 along with fake surety had furnished the surety bonds in complaint titled as Mukhtiar Kaur Versus Navjinder Singh, Case No.COMA/4003/2023, by preparing and forging the documents along with property of actual owner of Ranjit Singh, son of Atma Singh in connivance with fake witnesses. Therefore, you are hereby directed to register an FIR against above named accused Navjinder Singh, son of Gurcharan Singh, resident of village Sattowal, District Ludhiana- 141007 and other unknown persons (fake surety and fake witnesses for the offence of cheating, impersonation, forgery and furnishing false information to the court for the release of accused on bail. Documents in original produced by the accused including personal and surety bonds, jamabandi for the year 2015-16 alongwith original affidavit, identity proofs of fake persons i.e. fake surety and witnesses as well as copy of adhar card of actual owner of property namely Ranjit Singh, son of Atma Singh, resident of village Hambran, Ludhiana along with copy of order dated 05.04.2025 are enclosed herewith for ready reference through Naib Court of this Court. You are further directed to send one copy of FIR to this court, immediately. It is for your further information that Ahlmad namely Gursimran Singh of this court has been authorized to pursue the present case on the registration of FIR for further proceeding. Sd/-Simrandeep Singh Sohi (Simrandeep Singh Sohi) Judicial Magistrate 1st Class, Ludhiana/UID No. PB0550.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific role has been attributed to the petitioner. He further submits that the petitioner is only a witness to the surety furnished by co-accused Navjinder Singh in a complaint under Section 138 of NI

Act, who actually had died. He further submits that the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jastej Singh, Addl. AG Punjab, accepts notice on behalf of respondent/State. He does not controvert the submissions made by learned counsel for the petitioner.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the petitioner only stood as surety in good faith for the accused (since deceased) and had played no other role added with the fact the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents. It is further noted that the petitioner, in paragraph 10 of his petition, has furnished an undertaking to abide by the terms and conditions that may be imposed by the Court in the event of grant of anticipatory bail.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his

satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

22.05.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>