



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

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CRM-M-32558-2025

*Date of decision: 09.07.2025***Harpreet Singh***.....Petitioner**Versus***State of Punjab***.....Respondents***CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. J.S. Thind, Advocate for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.160 dated 24.08.2024 under Section 420 IPC registered at P.S Beas, District Amritsar Rural.

2. Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the transaction was only between the complainant and co-accused wherein the complainant entered into transaction qua which a sum of Rs.5 lacs was paid to co-accused Gurpal Singh out of which half of the amount was paid through bank account whereas rest of the money was paid in cash. He further contends as per the allegations the



cheques were issued on 08.08.2023 only for the purpose of personal surety in lieu of amount received by Gurpal Singh in the year 2002 and that the FIR was lodged after a considerable delay of 2 years and it clearly appears to be a retaliatory move to pressurize the petitioner just to grab extra money from him.

On behalf of the State

Upon notice, a status report by way of affidavit of Dharminder Kalyan, DSP, Sub Division Baba Bakala Sahib, Amritsar (Rural) has been filed in Court today, which is taken on record. Paragraphs 5 & 6 of the status report would be material for consideration of this Court from which it can be clearly culled out that the entire amount was paid in favour of co-accused Gurpal Singh. Though a contrary stand has been taken in the status report in para 5 that during investigation, it was found that the complainant gave Rs.2,50,000/- in cash to the petitioner at the house of co-accused Gurpal Singh whereas in para 6, it has been stated as under:

“1 to 5. xxx xxx

6. *That it is humbly submitted that no amount was transferred in the account of the petitioner but it is pertinent to mention here that the petitioner is a main mastermind, who had a similar FIR registered against him relating to giving a false inducement of getting recruitment in Indian Railways.”*

3. Analysis

Having perused the contents of the status report in totality, this Court is of the considered view that the transaction in cash to the tune of Rs.2,50,000/- even if presumed to be made to the petitioner needs to be established by leading evidence during the course of trial. Also, no other incriminating material has been



produced during the course of hearing against the petitioner to show that the petitioner was the mastermind behind the crime.

Be that as it may, in the light of above discussion, custodial interrogation of the petitioner is no more deemed necessary at this stage as nothing is to be recovered from him. Though the petitioner was granted the concession of interim bail by the learned Addl. Sessions Judge, Amritsar but later on the petition was dismissed on account of the petitioner not joining the investigation, who was involved in other criminal case as well.

4. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. 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 ten days and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

09.07.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No