



CRM-M-32909-2025

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

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CRM-M-32909-2025

Date of decision: 7th August, 2025

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Beant Singh, Advocate for the petitioner.
Mr. Vivek Sharma, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant petition has been filed by two petitioners namely- Manjit Singh and Iqbal Singh seeking pre-arrest bail in case arising out of FIR No. 10 dated 27.01.2025 registered under Sections 406, 420, 120-B of IPC at Police Station Dakha, Police District Ludhiana (Rural). However, the petition qua petitioner No.2 Iqbal Singh, was ordered to be dismissed as withdrawn as he had been arrested after filing of this petition.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the complainant Rohit Kumar lodged the aforementioned FIR alleging that the petitioner Manjit Singh and his brother Iqbal Singh were partners of M/s Kuber Rice Mills. The complainant had entered into business relationship with them by becoming partner to the extent of 5% share in the above named firm. The petitioner and his brother had committed default in repayment of loan obtained in the name of the firm and in order to safeguard his own business, the complainant had repaid the said loan. He had incurred other expenses of the petitioner and co-accused



on their assurance that the amount so spent would be given back to the complainant. The petitioner and his brother were residing in Canada. Instead of settling his account, they rather filed a false and frivolous complaint against the complainant making claim of a sum of Rs. 2,00,00,000/-. A compromise was subsequently effected on 21.07.2023 and the petitioner and co-accused had agreed to pay an amount of Rs. 1,10,00,000/- to the complainant, however, by hatching a conspiracy against the complainant with intention to cheat him, they had absconded to Canada and misused the trust reposed in them. As such, he prayed for taking penal action against them. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner along with the co-accused moved an application for grant of anticipatory bail which was dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 29.05.2025.

3. As already discussed, this petition had been filed by the petitioner Manjit Singh as well as his brother Iqbal Singh. Iqbal Singh had been subsequently arrested from the Indira Gandhi International Airport, Delhi on 20.06.2025, while he was trying to go to Canada during the pendency of this petition.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is not a defaulter. In fact, the complainant had forced Baljodh Singh, who is their attorney holder to settle the matter for a sum of Rs. 1,10,00,000/- by executing a compromise, though, no amount was payable to them. The entire case is based upon documentary evidence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him.



Therefore, it is argued that he deserves to be extended benefit of pre-arrest bail.

5. Reply has been filed by respondent-State. It is argued by learned State counsel assisted by learned counsel for the complainant that there are serious allegations against the petitioner Manjit Singh, who along with the co-accused with an intention to deceive the complainant had entered into a compromise to give a sum of Rs. 1,10,00,000/- to him without any intention to pay the same. They had left the country and had no intention to give back the settled amount. There are chances of his 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 along with the co-accused who is none else than his real brother, is alleged to have deceived the complainant and caused wrongful loss to the tune of Rs. 1,10,00,000/- to him. The case is at its nascent stage. The co-accused even tried to flee from the country during the pendency of this very petition, though he was arrested from the Airport. The petitioner cannot claim benefit of pre-arrest bail as the matter of right, even if his custodial interrogation is not required. In this regard, this Court relies upon the observations made by Hon'ble Supreme Court in ***Sumitha Pradeep v. Arun Kumar C.K. and another, 2022 (4) R.C.R. (Criminal) 977***, wherein it has been held that if no case for custodial interrogation is made out by the prosecution, then that alone cannot be considered to be a good ground to grant pre-arrest bail to an accused. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has



to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. It has also to be seen that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Keeping in view the fact that the petitioner and his brother are permanent residents of Canada and his brother tried to flee during the pendency of this very petition coupled with the fact that no extra ordinary, exceptional or sparing circumstance of such nature which warrants exercise of powers of grant of pre-arrest bail by this Court is made out in this casep, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

7th August, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No