



CRM-M-38136-2024

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

CRM-M-38136-2024

Date of Decision: 08.08.2025

HARJATINDER SINGH

..... Petitioner

*Versus*

STATE OF PUNJAB

..... Respondent

**CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. G.S. Dhaliwal, AAG, Punjab.

Mr. Onkar Singh Batalvi, Advocate for the complainant.

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**YASHVIR SINGH RATHOR, J. (Oral)**

1. Prayer in this petition filed under Section 482 of BNSS, 2023 is to grant of anticipatory bail in case FIR No.149, dated 29.04.2024, registered at Police Station Zirakpur, District SAS Nagar, under Sections 406 and 420 of IPC.

2. The present petition has been registered on the basis of complaint given to the police by Tejwinder Singh with the allegation that two persons namely Sukhjeet Singh and Harjatinder Singh-petitioner showed him fake documents of one house on 03.07.2021 and got executed an agreement to sell dated 07.06.2021, allegedly with the owner of the said house namely Bhagwant Singh and in all, he paid a sum of Rs.15,50,000/- to them out of which, a sum of Rs.11 lakh was transferred on two different dates in the account of owner of the house namely Bhagwant Singh. In fact, said Bhagwant Singh was not the owner of the house and when he met him, he told that he has never entered into any such agreement. In order to further cheat him, they both took Bhagwant



Singh to the Bank who is an old man suffering from diabetes and they withdrew Rs.11 lakh from his account and usurped the same and he sought action against both the accused.

3. Vide order dated 08.08.2024, the petitioner was directed to join the investigation and was granted ad-interim anticipatory bail. Thereafter, dispute was referred to Mediation and Conciliation Centre of this Court and petitioner has in all paid a sum of Rs.2.5 lakh to him earlier and today a demand draft bearing No.038433 dated 07.08.2025 for Rs.5 lakh has been paid and he has thus returned half of the amount as the other accused namely Sukhjeet Singh has already died.

4. Learned counsel for the petitioner has argued that petitioner has been falsely implicated in the present case. The agreement was executed with real owner namely Bhagwant Singh in whose account a sum of Rs.11 lakh was deposited by the complainant. Police has not conducted any such investigation to find out the genuineness of the agreement and title of Bhagwant Singh and he has been made a scapegoat. The amount was withdrawn by Bhagwant Singh himself from his own account and not by the petitioner. Learned counsel further contended that from the given allegations, the dispute *prima facie* is of civil nature as no material has been collected till date to show that petitioner had shown any fake document to the complainant at the time of execution of the agreement or that property in question was not owned by Bhagwant Singh. Learned counsel further contended that petitioner has already joined the investigation. Nothing is to be recovered from his possession and the entire case is based upon documentary evidence and benefit of anticipatory bail be thus extended in his favour.



5. Learned State counsel has opposed the bail of the petitioner. He further submits that he does not deserve the concession of anticipatory bail.
6. Today, on instructions from Investigating Officer, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 08.08.2024.
7. The petitioner has already joined the investigation. The owner of the property namely Bhagwant Singh who had executed the agreement and in whose Bank account a sum of Rs. 11 lakh was transferred has not been associated during the investigation or to verify him ownership of the plot. Even no effort has been made to take into possession the original agreement which must be in the possession of complainant so as to get it compared with the signature of Bhagwant Singh. Nothing is to be recovered from the possession of petitioner. In these circumstance, custodial interrogation of the petitioner is not required and he deserves the concession of anticipatory bail.
8. In view of the aforesaid discussion, petition in hand is allowed and the order dated 08.08.2024, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.
9. Pending misc. application(s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)  
JUDGE

08.08.2025  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |