



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

202 (1st case)

CRM-M-41468-2024 (O&M)
Date of Decision: 07.07.2025

Manjit Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Bhargava, Advocate and
Mr. Kashav Chadha, Advocate
for the petitioners.

Mr. T.P.S. Walia, AAG, Punjab.

Mr. Prateek Sodhi, Advocate
for respondent No.2-complainant.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of Criminal Procedure Code, 1860 (for short 'Cr.P.C.') for grant of pre-arrest bail to petitioners in FIR No. 79 dated 18.06.2024, under Sections 120-B, 420, 465, 467, 468, 471 read with Section 511 of Indian Penal Code, 1860, registered at Police Station Cantonment, District Police Commissionerate Amritsar.

2. Allegations are that petitioners along with co-accused, namely, Bharat Kumar in connivance with each other forged documents in the nature of lease deeds in respect of property i.e. *Akhada Nirvansar* and the said lease deeds have been executed in favour of petitioners.



3. Contends that petitioners were granted interim bail by Coordinate Bench this Court on 23.08.2024 and in pursuance thereof, they have already joined investigation; hence, their custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel on instructions from quarter concerned and submits that their custodial interrogation is not required at this stage.

5. *Per contra*, learned counsel for complainant opposed the prayer on the premise that petitioners and their co-accused have forged and fabricated alleged compromise deed and as a matter of fact, complainant is in possession of premises i.e. *Akhada Nirvansar*.

6. Heard learned counsel for the parties and perused the paper-book.

7. It transpires that while issuing notice of motion, petitioners were granted interim protection by Coordinate Bench of this Court on 23.08.2024 and the order reads as under:-

“The petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.0079, dated 18.6.2024 registered at Police Station Cantonment, District Police Commissionerate, Amritsar, under Sections 420, 465, 467, 468, 471, 511, 120-B of Indian Penal Code.

The FIR was lodged at the instance of Jatinder Singh Bhalla, wherein the allegations are broadly to the effect that Bharat Kumar had forged documents dated 23.3.2001, 28.6.2005 and 6.11.2006, which are in the nature of lease-deeds in respect of property of Akhara Nirvansar and that the



said lease-deeds have been executed in favour of the petitioners.

Learned counsel for the petitioners submitted that the aforesaid complainant - Jatinder Singh Bhalla in affidavit dated 18.9.2023 (Annexure P-2), which is in the nature of a compromise, has admitted the said leased deeds to be genuine.

Notice of motion for 28.1.2025.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

8. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation and as on today, their custodial interrogation is not required.

9. So far as the fact of any tampering or manipulation of alleged document [affidavit dated 18.09.2023 (P-2)] is concerned that would be a matter of trial and *prima facie*, the dispute between the parties is civil in nature. Moreover, the property belongs to *Akhada Nirvansar* and neither petitioner; nor *de facto* complainant is the owner of the same.

10. Apart that State is not asking for custodial interrogation, therefore, the objection of complainant stands rejected.

11. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners. Consequently, present



petition is allowed; interim order dated 23.08.2024 is made absolute subject to the conditions as envisaged under Section 438(2) of Cr.P.C./482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

12. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

13. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

14. It is also clarified that in case of any recurrence on the part of petitioners, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

07.07.2025
Ithlesh

(MAHABIR SINGH SINDHU)
JUDGE

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