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

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CRM-M-44367-2025 (O&M)

Date of decision: 24.09.2025

Kamaljit Singh**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Suresh Singla, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

Mr. Shiv Kumar Rana, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of anticipatory bail to him in case arising out of FIR No. 76 dated 27.04.2019, registered under Sections 420 and 406 of IPC at Police Station City Rupnagar, District Rupnagar. The previous petition was dismissed as withdrawn.

2. The aforementioned FIR has been registered on the allegations that the petitioner had induced the father of complainant Kailash Chander to purchase a plot by projecting that he was the power of attorney holder of the owners of the said plot. Believing the petitioner, the father of the complainant had agreed to purchase the same for a total sale consideration amount of Rs.26,12,500/-. The petitioner had executed a sale deed after receiving the entire sale consideration

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amount. However, when the complainant and his father went to take possession of the plot, it was revealed that the same belonged to somebody else. By alleging that the petitioner and co-accused Veena Rani had cheated his father, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings have been initiated. Apprehending her arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Rupnagar but the same had been dismissed, vide order dated 15.05.2019.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, a sale deed was got registered in the name of Smt. Gurmeet Kaur, mother of the complainant, by the petitioner as power of attorney holder of the original owners. He was neither the vendor nor beneficiary of the transaction. The total sale consideration amount was Rs. 6,40,000/- and, therefore, no question of handing over an amount of Rs.26,12,500/- to the petitioner had arisen. The name of Smt. Gurmeet Kaur was reflected in the jamabandi for the subsequent year after registration of the sale deed in her favour qua the said property. As such, there is no question of the petitioner's committing any offence of cheating or criminal breach of trust. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. A compromise has been arrived at between the parties and neither the complainant nor his parents have any objection, if the petition is allowed. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned State counsel has submitted that a cancellation report has been prepared in the matter

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and has raised no serious objection to the contentions raised by learned counsel for the petitioner, though it is submitted by him that the petitioner is involved in some other cases as well.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is alleged to have cheated the family of the complainant by getting a sale deed registered in respect of a property of some other person. However, as per status report, a cancellation report has been prepared in the matter. As such, neither his custodial interrogation is required nor any recovery is to be effected from him. Given the nature of the allegations, I am of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

24.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No