

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48925-2025
Reserved on: 09.09.2025
Pronounced on: 12.09.2025

Jagtar Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parunjeet Singh, Advocate,
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
163	19.07.2025	City Jagraon, Ludhiana	308(2), 308(6), 318(4), 338, 336(3), 340(2) and 61 (2) of BNS

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. As per paragraph 17 of the bail petition, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“2. That the brief facts of the case are that complainants Inderjit Singh son of Malkiat Singh resident of H. No.5987, Street No. 4-1/2, Gobind Nagar, Shimlapuri, Ludhiana and Mandeep Jindal son of Amritpal Jindal resident of H. No.27-A, Canal View Enclave, Ludhiana, partners of M/s Elysian Infra Co., submitted one application to SSP Ludhiana (Rural) against Mandeep Singh, Jagtar Singh and Rachhpal Singh. This application was marked number as 3016-Peshi dated 04-06-2025. The complainants have stated that their firm has obtained license No.05-2025 from GLADA for developing one residential colony in the area of 35.67 Acres in village Agwar Gujran-1, 2, 3 Tehsil Jagraon, District Ludhiana. GLADA has issued 13 letters to different departments for getting their NOC and after getting the NOCs the same were submitted in the office of GLADA by the complainants.

3. That the complainants further stated that they have contacted Mandeep Singh employee office of BDPO, Ludhiana for getting NOC from that office. They handed over all the documents and file to Mandeep Singh. They have also sent the documents through whatsapp from their mobile phone No.95926-xxxx to the mobile phone No.98141-xxxx of Mandeep Singh. The chatt done with Mandeep Singh and copies of the documents are produced.

4. That the complainants further stated that Mandeep Singh told the

complainants that he has to deposit the documents with Jagtar Singh Patwari. Mandeep Singh also sent them the whatsapp number of Jagtar Singh. Thereafter they also sent the copies of all the documents with Jagtar Singh Patwari. Jagtar Singh Patwari gave them assurance that their work will be done.

5. That the complainants further stated that on 21-03-2025 at about 9:52 AM, Mandeep Singh has sent one NOC from his mobile phone to their mobile phone which was issued by BDPO, Panchayat Samiti, Jagraon to GLADA and the letter number was 3769 dated 17-03-2025. This NOC was relating to issue license to their colony. It bears the signatures of BDPO, Jagraon.

6. That the complainants further stated that after collecting all the 13 NOCs including the NOC issued by BDPO Jagraon, they submitted all the NOCs in the office of GLADA and the GLADA issued license of their project. They also paid fees, bank guarantee and submitted requisite documents in the office of GLADA.

7. That the complainants further stated that on 29-05-2025 petitioner Jagtar Singh Patwari came to their office and told them that he wanted to see the NOC issued by his office. After some time, complainant Inderjit Singh visited the office of BDPO, Jagraon and the BDPO has shown the copy of NOC of his office and told him that the NOC does not bear his signatures. The BDPO handed over the file to him. Thereafter, they brought the matter to the notice of officers of GLADA through letter dated 29-05-2025.

8. That the complainants further stated that they have talked with petitioner Jagtar Singh and who told them that RTI Activist Rashpal Singh Gabria is submitting applications against them and that person also filed complaint against them before BDPO about the NOC. Jagtar Singh also told them that they have to pay huge amount to said Rashpal Singh Gabria otherwise he will blackmail them by submitting applications against them.

9. That the complainants further stated that Rashpal Singh Gabria has already given threats to them on mobile phone that he will not get pass their colony. They came to know that all these persons have hatched conspiracy and they intentionally has issued forged NOC and committed fraud with them. These people are members of the group who are earning money from the honest people.

10. That the complainants further stated that on 02-06-2025, they received one phone call on their whatsapp from Jagtar Singh Patwari who told them that the file which was returned to them on 29-05-2025 by BDPO, be returned to his office. They did not return the file. Rashpal Singh Gabria is threatening to them that in case they will not make payment of Rs.2 Crores, he will submit false applications against them. The complainants requested the SSP Ludhiana (Rural) that in case the NOC issued by the office of BDPO Jagraon is forged NOC, then take necessary action against the culprits. The SSP Ludhiana (Rural) marked this application to DSP (D), Ludhiana (Rural) for enquiry.

11. That DSP (D), Ludhiana (Rural) has conducted enquiry on the application of the complainants and submitted his enquiry report vide letter no. 448/5-A/DSP (D) dated 17-07-2025. The enquiry officer recorded statement of Sh. Sukhdeep Singh Grewal, BDPO, Jagraon. He stated that the NOC issued vide letter no. 3769 dated 17-03-2025 does not bear his signatures and it is not issued by his office and the number mentioned on this NOC does not of his offence.

12. That the enquiry report reveals that forged NOC has been against petitioner in this case. Rashpal Singh Gabria is black mailing the complainants. The enquiry officer has recommended to register FIR against petitioner Jagtar Singh Pawari for issuing forged NOC and against Rashpal Singh Gabria for black-mailing the complainants. The enquiry officer also stated that if any evidence comes on the file during investigation against Mandeep Singh, then legal action against him may be taken. The SSP Ludhiana (Rural) approved this enquiry report and directed the SHO, PS

City Jagraon to register case accordingly vide order dated 18-07-2025. In compliance of these orders FIR No.163 dated 19-07-2025 u/s 308 (2), 308(6), 318(4), 338, 336(3), 340(2), 61(2) has been registered in PS City, Jagraon against Rashpal Singh Gabria and Jagtar Singh Patwari.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the status report.

7. It would be appropriate to refer to the following portions of the status report, which reads as follows:

*“15. B. The evidence against the petitioner
Statement of complainants.
C. The role of the petitioner.
The petitioner has got issued NOC relating to colony of the complainant.”*

REASONING:

8. Main allegations against the petitioner are that NOC which was issued by the signature of BDPO, Jagraon bears forged signature which was got issued by petitioner. Complainant who was a developer, instead of obtaining NOC for developing colony trust on the petitioner, however, it was his own duty to procure that NOC. Perusal of the allegations, it is not a case of denial of bail.

9. The law of bail, like any other branch of law, has its own philosophy, and occupies an important place in the administration of justice and the concept of bail emerges from the conflict between the police power to restrict liberty of a man who is alleged to have committed a crime, and presumption of innocence in favour of the alleged criminal.¹ Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.² Personal liberty deprived when bail is refused, is too precious a value of our constitutional system recognised under Art. 21 that the curial power to negate it is a great

¹Supreme Court of India in Vaman Narain Ghiya v. state of Rajasthan, [E-SCR] ; [2008] 17 SCR 369, Para 16, decided on 12.12.2008.

² Supreme Court of India in SiddharamSatlingappaMhetre v. State of Maharashtra, SC 2J [E-SCR], Paragraph 127, decided on 02.12.2010.

trust exercisable, not casually, but judicially with lively concern for the cost to the individual and the community.³

10. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

11. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

14. This order is subject to the petitioner's complying with the following terms.

15. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

16. The petitioner shall abide by all statutory bond conditions and appear before the

³ Supreme Court of India in *Babu Singh &ors v. State of UP*, [E-SCR] P. 777, decided on 31.01.1978.

concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

17. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

18. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

19. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

20. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

21. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Appellant-Accused can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

22. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

12.09.2025

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.