



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

CRM-M-50500-2025 (O&M)

Date of Decision: 10.12.2025

HARCHARAN SINGH AND ANOTHER Petitioners

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Mohit Jaggi, Advocate
for the petitioners.

Mr. Gorav Kathuria, DAG Punjab
assisted by Inspector Sumit Kumar.

Ms. Rajni Bala Rohilla, Advocate for
Mr. A.S. Barnala, Advocate
for the complainant.

YASHVIR SINGH RATHOR, J. (Oral)

CRM-39161-2025

The applicant-petitioner through instant application under Section 151 CPC is seeking permission to place on record copy of civil suit dated 08.07.2025 pending before the learned Civil Courts at SAS Nagar, Mohali as Annexure P-4.

Allowed as prayed for.

Annexure P-4 is taken on record, subject to all just exceptions. Registry is directed to tag the same at an appropriate place.

**CRM-M-50500-2025**

1. Prayer in this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail in case FIR No.0209, dated 14.08.2025, under Sections 316(2), 318(4), 61(2) of BNS, 2023, registered at Police Station Sohana, SAS Nagar, Mohali.

2. On 25.09.2025 the following order was passed:-

“1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioners in case FIR No.0209, dated 14.08.2025, under Sections 316(2), 318(4), 61(2) of BNS, 2023, registered at Police Station Sohana, SAS Nagar, Mohali.

2. Notice of motion.

3. Mr. G.S. Dhaliwal, AAG, Punjab accepts notice on behalf of the respondent-State and Mr. A.S. Barnala, Advocate, puts in appearance on behalf of the complainant, and files his Power of Attorney, which is taken on record. Both the parties have been heard and material on file has been perused.

4. Status report dated 18.09.2025 by way of affidavit of Harsimran Singh Bal, PPS, Deputy Superintendent of Police, City-2, SAS Nagar Mohali has been filed on behalf of respondent-State and the same is taken on record.

5. The present case was registered on the basis of complaint given to the police by Harjot Singh with the allegations that his father Harchand Singh had entered into an agreement to sell 5 kanals of land with Jaswinder Singh, son of Daya Singh, vide agreement to sell dated 19.07.2025 and his father had paid a sum of Rs.1,75,00,000/- as earnest money to said Jaswinder Singh and sale deed was to be executed on or before 20.07.2025. However, Jaswinder Singh is not executing the sale deed and has also refused to return the earnest money. The respectable persons of the village



also tried to make Jaswinder Singh understand but of no help and he rather threatened to kill them. Said Jaswinder Singh was arrested. Petitioner No.1-Harcharan Singh is the brother of said Jaswinder Singh, while Inderpreet Singh is son of petitioner No.1-Harcharan Singh and nephew of said Jaswinder Singh. They applied for anticipatory bail before the Court of Sessions but the same was rejected, vide impugned order dated 03.09.2025.

6. *Learned counsel for the petitioners contended that the dispute is purely of civil nature and the complainant has already instituted a suit for specific performance. Applicants are neither the owners, nor the beneficiary or signatory to the agreement. The entire earnest money was paid by the purchaser to Jaswinder Singh, as also mentioned in the civil suit instituted by the complainant's father. Learned counsel next contended that petitioners are ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in their favour.*

7. *On the other hand, learned State counsel assisted by counsel for the complainant has opposed the bail and argued that huge amount of Rs.1,75,00,000/- has been paid to the accused party by the complainant towards earnest money but now Jaswinder Singh does not intend to execute the sale deed and he has entered into a compromise with the previous owners on 25.03.2019 to return the land. Learned counsel further argued that a sum of Rs.52 lakhs was received by petitioner No.2-Inderpreet Singh, out of the total earnest money and he has also executed one receipt in this regard and he too is hand in glove with the owner namely Jaswinder Singh. Their custodial interrogation is thus essential and they does not deserve the concession of anticipatory bail.*

8. *It is not in dispute that the land in question is owned by Jaswinder Singh, who has already been arrested and released on bail. Both the petitioners are not the owners of*



the land, which was agreed to be sold. In the civil suit instituted by Harchand Singh against Jaswinder Singh, there is no allegation that any part of the earnest money was given to petitioner No.2-Inderpreet Singh and there is no whisper in the entire plaint in this regard, whose copy has been placed on file as Annexure P-4. One receipt has been placed on file by the complainant, in which the amount is mentioned as 35+17=52 and allegedly signed by petitioner No.2-Inderpreet Singh but from the same, it is not prima facie established that said receipt pertains to payment of Rs.52 lakhs.

9. *Adjourned to 26.11.2025 for filing status report. Meanwhile, the petitioners are directed to join the investigation and in the event of their arrest, they shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-*

- i) that the petitioners shall make themselves available for interrogation by a police officer as and when required;*
- ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioners shall not leave India without the prior permission of the Court;*
- iv) such other condition as may be imposed under subsection (3) of Section 480, as if the bail were granted under that section.”*

3. Today, on instructions from Inspector Sumit Kumar, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 25.09.2025 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 25.09.2025,



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.

- 5. Disposed of.
- 6. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

10.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No