



CRM-M-51063-2025 (O&M) -1-

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

109+222

**CRM-39616-2025 in/ and
CRM-M-51063-2025
Date of Decision : 04.11.2025**

DIWAKAR SINGLA

.... PETITIONER

V/S

STATE OF PUNJAB

.... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present : Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Jaiveer Singh, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Munish Gulati, Advocate for the complainant.

SUBHAS MEHLA, J. (Oral)

CRM-39616-2025

The present application has been filed on behalf of the complainant for placing on record a copy of reply on his behalf alongwith annexures.

Notice of the application to the non-applicant.

Mr. P.S. Ahluwalia, Senior Advocate assisted by Mr. Jaiveer Singh, Advocate accepts notice on behalf of non-applicant/petitioner and submits that he has no objection if the application is allowed and the reply alongwith annexures on behalf of the complainant is taken on record.

Given above, the present application is allowed and the reply alongwith annexures on behalf of the complainant are taken on record, subject to all just exceptions.

**Main case**

1. This is the second petition filed under Section 483 BNSS, 2023 seeking regular bail in case bearing FIR No.172 dated 02.07.2025, under Sections 420, 465, 467, 468, 471 and 120-B IPC and 201 IPC (added later on) registered at Police Station Division No.8, District Ludhiana.

2. Learned counsel for the petitioner contended that the petitioner is related to the complainant who is his Paternal Uncle (*Chacha*). The allegations against the petitioner are that the petitioner alongwith co-accused (petitioner's father) had cheated the complainant for an amount of Rs.1.38 Crores during a span of 04 years i.e. from 2019 to 2023. The said amount has been spent to develop and upkeep the property of the complainant and in support thereof, photographs of the said property (Annexure P/7) from the year 2019 to 2023 have been annexed in the paper book. Out of the amount of Rs.1.38 crores alleged to have been transferred by the complainant to the co-accused, the petitioner has received only an amount of Rs.7 lac and rest of the amount i.e. Rs.1.31 Crore was transferred to the account of co-accused. He further contended that the main allegations are *qua* the co-accused and not against the present petitioner. He also contended that the investigation has been completed and challan under Section 193 of BNSS has also been filed. It is also submitted that the petitioner has been in custody since 03.07.2025 and offences are triable by the Judicial Magistrate Ist Class. He further contended that the petitioner is however, involved in one more FIR No.188 dated 22.12.2023 wherein anticipatory bail has been granted vide order dated 31.01.2024 passed by the Court, while observing



that the offence under Section 420 IPC is *prima facie* not made out against the petitioner/ accused.

3. Notice of motion.

4. Mr. Nitesh Sharma, DAG, Punjab accepts notice on behalf of the respondent-State and opposes the grant of bail to the petitioner. Learned State counsel submits that challan in the present case has been filed and the case is now fixed before the trial Court concerned, for framing of charges.

5. On the other hand, learned counsel for the complainant vehemently opposes the grant of bail to the petitioner on the ground that the petitioner has cheated the complainant to the tune of Rs.1.38 Crores and also, involved in forging of an agreement to sell with the owner of the property, namely, Gurmeet Singh and thus, prayed for dismissal of the present petition.

6. Heard.

7. Keeping in view the fact that parties are related to each other and the amount allegedly has been transferred through different transactions over a span of 04 years; the fact that the petitioner has also spent money to develop the said property and photographs in support thereto have also been attached; only Rs.7 lac out of the total alleged amount of Rs.1.38 Crore was transferred to the petitioner's account; that main allegations are against the co-accused who has already been granted regular bail by the Additional Sessions Judge, Ludhiana vide order dated 28.07.2025; investigation in the present case has already been completed; final report under Section 193 of BNSS already stands presented; the offences are triable by Judicial Magistrate 1st Class; no useful purpose would be served by keeping him in



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custody for any further period; culpability is to be fixed after receiving evidence on behalf of both the parties during trial, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing observed hereinabove shall be construed as an opinion on the merits of the main case.

10. Pending applications, if any, also stand disposed of.

(SUBHAS MEHLA)
JUDGE

04.11.2025

Sonia Puri

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No