



CRM-M-51558-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-51558-2025
Decided on: 08.12.2025

Ram Parkash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rishu Mahajan, Advocate for the petitioner.
Mr. Sukhbeer Singh, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ram Parkash, aged about 77 years	229	05.08.2025	316(2)/ 318(4)/ 3(5) of BNS	Rama Mandi	Jalandhar

2. On 15.09.2025, following order was passed:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked



*in a criminal case arising out of First Information Report,
as detailed hereunder:-*

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ram Parkash, aged about 77 years	229	05.08.2025	316(2)/318(4)/3(5) of BNS	Rama Mandi	Jalandhar

2. Counsel for the petitioner, *inter alia* submits that complainant, Swaran Singh, has registered an FIR against (i) Sohan Lal, (ii) Chhinde wife of Sohan Lal, (iii) Amar son of Sohan Lal, (iv) Ram Prakash, and (v) Narinder Kumar son of Ram Prakash.

As per the allegations, property/plot in question was shown to the complainant illegally, resulting in a fraud amounting to Rs.48,26,924/-. The primary allegation is that the property had already been sold to someone else earlier, and despite the absence of a clear title, it was sold to the complainant, thereby duping him of a substantial sum of money.

3. Counsel for the petitioner contends that petitioner, who is 77 years old, did not play any active role in the incident, except for a bargain deal conducted at his shop. Furthermore, it is submitted that the controversy in the case cannot be resolved by incarcerating the accused, including the petitioner, since the final adjudication of the fraud allegation depends on documentary evidence and proving all charges by the complainant/prosecution beyond reasonable doubt.

Merely on the basis of bald allegations, it cannot be assumed that the complainant, as buyer, was ever pressurized by the accused persons to purchase the plot or to pay the substantial amount involved.

Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

**CRM-M-51558-2025**

4. *Notice of motion.*
5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Gurpreet Singh Sandhu, Advocate, puts in appearance on behalf of the complainant, and files his vakalatnama in Court today, which is taken on record.*
6. *Adjourned to 08.12.2025.*
7. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends in compliance with the order dated 15.09.2025 passed by this Court, petitioner has joined the investigation on 02.12.2025 and has extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Sukhjinder Singh, confirms the said averment made by counsel for the petitioner of joining investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

**CRM-M-51558-2025**

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 15.09.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as non est automatically.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

08.12.2025

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**