



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-56407-2024  
DECIDED ON: 13.01.2025

SANJEEV KUMAR @ SONU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. R.S. Bains, Sr. Advocate with  
Mr. Shekhar Kumar, Advocate  
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

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SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.74, dated 30.06.2024, under Sections 406, 420, 447, 120 of IPC, registered at Police Station NRI Wing, Phase-7, Mohali.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

*“An order No. 17436/Needle Desk-5/NRI Wing dated 28.06.2024 from the office of Hon'ble Additional Director General Police NRI Wing Punjab has been received by post, according application UID No. to which an 2406526 dated 17.05.2024 from Kulwant Kaur wife Jarnail Singh*

*Resident of Village Majri Jattan, Tehsil and District Rupnagar presently Resident of Australia to Hon'ble Additional Director General of Police, NRI Wing, Punjab, SAS Nagar is filed and the contents of the same are, " To Hon'ble ADGP Sahib NRI Wing Phase 07 Mohali Distt. SAS Nagar. Subject: Fraudulent sale of plot by preparing fake documents. Sir, I request that I have a plot measuring 4- 3/5 Marla situated at Village Radiala Hadbast No. 77 Tehsil Kharar District Mohali purchased vide Wasika No. 4155 dated 09.08.2017 from Harinder Singh son of Bhupinder Singh Resident of House 4439 Ward No. 13 Kharar District Mohali. I purchased this plot through Navdeep Singh Babbu and his wife Sarabjit Kaur (98140-00124). We bought this plot to build shop and took possession at the spot. Myself and my husband used to live in Australia because our children are also living abroad in Australia. We moved to Australia in 2019, but due to Covid 2019, we had to stay in Australia for a long time. We came to India in the end of 2020 and rarely left home due to Covid. In the end of 2022, we went to Chandigarh from our village. When we came to see our plot while coming back, we saw that someone had occupied the shop by constructing boundary wall. The mobile number 79730-18095 was written on a board in the plot and we called on that number and the person told his name as Rakesh Kumar and also said that he has purchased these shops from Navdeep Singh by paying all the money and when asked about the sale deed then he said that sale deed is yet to be executed. We told him that the plot is in our name and we have not sold it to anyone. Thereafter we had a conversation with Navdeep Singh and he started threatening us that do whatever you wish to do, he will not leave any plot, he has sold these shops. But if you go near the shop plot, then the results will not be good. We request that our plot be vacated from these land mafia and an action be taken against Harinder Singh Sarabjit Kaur wife*

*Harinder Singh and Rakesh Kumar who prepared fake documents and signed agreement of our plot and justice be done to us because we have the registry of the plot and they are selling our plots by preparing fake papers.”*

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner would submit that the petitioner has already joined the investigation and in addition to that a compromise has been effected between the petitioner and the complainant-Kulwant Kaur.

**On behalf of the State**

Learned State Counsel has filed a status report dated 10.01.2025 by way of an affidavit of Lakhwinder Singh PPS, Deputy Superintendent of Police, NRI Wing, District SAS Nagar, in compliance to the order dated 13.11.2024, which is taken on record. He is inconsonance to the fact that the petitioner has joined the investigation and on instructions from ASI Gursewak Ram further authenticate the factum of compromise having entered into between the parties with an additional fact, that his custodial interrogation is no more required.

4. **Analysis**

Be that as it may, considering the fact that a compromise has been entered into between the petitioner and the complainant-Kulwant Kaur and the fact that the petitioner has already joined the investigation, therefore, his custodial interrogation at this stage is not required.

5. Decision

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of 10 days, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)  
JUDGE

13.01.2025

Poonam Negi

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No