



CRM-M-54340-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54340-2025

Date of Decision: 15.12.2025

VISHAL SHARMA AND ANOTHER

..... Petitioners

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Hardeep Singh, Advocate
for the petitioners.

Mr. Gorav Kathuria, DAG Punjab.

Mr. Saurabh Sharma, Advocate
for the complainant.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail in case FIR No.229 dated 16.08.2025 registered under Sections 36 of The Punjab Apartment and Property Regulation Act, 1995 at Police Station Sahnewal, District Police Commissionerate Ludhiana, Punjab.

2. On 28.10.2025, the following order was passed:-

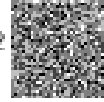
“CRM-39602-2025

The applicants through instant application under Section 528 of BNSS, 2023 are seeking permission to place on record Annexure P-22 and further exemption from filing the certified of Annexure P-22.

Allowed as prayed for.

Annexure P-22 are taken on record, subject to all just exceptions.

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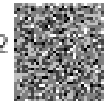


Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioners in FIR No.229 dated 16.08.2025 registered under Sections 36 of The Punjab Apartment and Property Regulation Act, 1995 at Police Station Sahnewal, District Police Commissionerate Ludhiana, Punjab.

Status report by way of an affidavit of Harjinder Singh, PPS, Assistant Commissioner of Police (South), Ludhiana, filed on behalf of the State is taken on record.

The present case was registered on the basis of complaint given to the police by Navjot Singh with the allegations that Vishal Sharma owner of M/s Krishna Estate and Arun Kumar, owner of M/s V.R.V Land Developers have developed and established a residential colony under the name and style of Krishna Nagar/New Ram Nagar near Gian Vidyalaya School, Giaspura Ludhiana, over agricultural land forming part of his ancestral property without obtaining any licence or approval from the competent authority under Punjab Apartment and Property Regulation Act, 1995 and he sought action against them. During investigation, it was found that complainant's grandfather namely Sham Singh had sold approximately four acres of agricultural land to the petitioners over which they had developed a residential colony but they have not obtained any permission under the Punjab Apartment and Property Regulation Act, 1995 and thus, they committed an offence under Section 36 of the said Act. The petitioners have also not produced till date any licence or approval or NOC from the competent authority to show that colony had been sanctioned.

Learned counsel for the petitioners contended that Government of Punjab has issued a Policy dated 18.10.2018 whereby such unauthorized colonies can be regularized on payment of requisite fee and in response thereto, they have already deposited Rs.8,00,000/- with Municipal



Corporation, Ludhiana vide receipts Annexures P-16 and P-17. Thereafter, vide letter dated 22.01.2021, Municipal Town Planner,

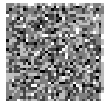
Municipal Corporation, Ludhiana has written a letter to Tehsildar (Central), Ludhiana that the colony in question was developed prior to the year 2013 and colonizer had applied for regularization of the land developed by him on 21.06.2019 and deposited if the entire regularization fee with the Municipal Corporation, Ludhiana and Building Branch of Municipal Corporation, Ludhiana has no objection in case sale deeds are registered provided the plot holders also get their plots regularized. Learned counsel contended that the case against the petitioners is based on documentary evidence, which are already with the police. Their custodial interrogation is not required and they 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.

On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, they do not deserve the concession of anticipatory bail.

Adjourned to 15.12.2025.

In the 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 sub-section (3) of Section 480, as if the bail were granted under that section.”

3. Today, on instructions from ASI Chand Aheer, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 28.10.2025 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 28.10.2025, 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

15.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No