



CRM-M-58167-2025 -1-

(207) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58167-2025
Date of decision : 22.12.2025

SWATI AND ANOTHER

... Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate and
Mr. Kanishk Swaroop, Advocate for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA, J. (ORAL)

1. The instant petition has been filed by the petitioners under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of anticipatory bail in case arising out of FIR No.337 dated 29.11.2024 registered under Sections 406 and 420 of IPC (Sections 465, 467, 471, 120B of IPC added later on), registered at Police Station Sohana, District SAS Nagar.
2. The aforementioned FIR has been registered on the basis of a complaint filed by the complainant-Harinder Singh alleging that he had entered into an agreement to purchase a plot situated in Preet City, Sector 86, SAS Nagar with accused-GS Ghuman for total sale consideration of amount of Rs.1,02,00,000/-. A written agreement to sell was executed

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between them. The complainant had paid an amount of Rs.10 lakhs to accused-GS Ghuman as earnest money. The remaining amount was to be paid within 90 days and then the sale deed was to be executed. After receipt of earnest money, the accused-GS Ghuman failed to secure No Objection Certificate from Preet Land Promoters and Developers Private Limited Company (**for short “the Company”**), who had allotted this plot in his favour. The complainant alleged that subsequently he came to know that the accused-GS Ghuman in connivance with Charan Singh Saini, Director and other employees of the Company, including the present petitioners had sold the same plot to one Taranjeet Singh on 09.02.2024 on the basis of a forged and fabricated letter dated 01.11.2021 to which the present petitioners were co-signatories. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending their arrest, the petitioners moved separate applications for grant of anticipatory bail which have been dismissed by the Court of learned Additional Sessions Judge, Mohali vide two separate orders dated 06.10.2025.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case only because of the fact that they were managing the administration department and accounts branch of the company respectively. The case is based on documentary evidence which is already in possession of the investigating agency. There is delay of 1.5 years in registration of FIR, which has not been explained. Their implication is only on the allegations that one letter dated 01.11.2021 was cross-signed by them. Their custodial

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interrogation is not required. They are ready to join the investigation. No recovery is to be effected from them. It is, therefore, urged that the petition deserves to be allowed.

4. Per contra, learned State counsel while supporting the pleas as taken in the status report has argued that there are serious allegations against the petitioners, who in connivance with the co-accused fabricated a letter dated 01.11.2021 to cause wrongful gain to the other accused persons and themselves, on the basis of this letter, the sale deed of the plot in question had been registered in favour of one Taranjeet Singh Beniwal, despite the fact that an agreement qua the same plot had been executed by the co-accused-GS Ghuman in favour of the complainant after receiving earnest money and that agreement had even been signed by accused Sanjeev Ahmed, authorized signatory of the company which showed that the petitioners and other employees of the company as well as company were having knowledge that the previous allottee GS Ghuman had agreed to sell this plot to the present complainant. It is submitted that the document dated 01.11.2021 was created only for the purpose of defeating the rights of the complainant and for cheating him. Learned State counsel has also further argued that for the purpose of conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioners is must. It is, thus, stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by the counsel for both the parties at considerable length.

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6. The petitioners in connivance with the co-accused are alleged to have prepared a cross-signed letter dated 01.11.2021 purported to be issued by the company in which they were employees, showing that the plot in question was allotted to Taranjeet Singh Beniwal in the year 2021, though, as per the allegations, it was accused-GS Ghuman, who was the allottee of that plot. The allegations prima facie suggest the complicity of the petitioners in commission of offences of cheating and forgery. For the purpose of eliciting information as to the manner in which the crime was committed and for proper investigation, their custodial interrogation is required. Even otherwise, no exceptional and extra-ordinary circumstance for grant of pre-arrest bail is made out in their favour. The well-settled proposition of law is that the powers under Section 482 of BNSS are to be exercised in exceptional and extra-ordinary circumstances but no such circumstance has been made out in this case. There are specific allegations against them. The case is at its nascent stage. In case the custodial interrogation of the petitioner is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Taking into consideration the above discussed facts, this Court is of the considered opinion that the petition deserves to be dismissed. Accordingly the same is dismissed.

9. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the



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case and shall not influence the outcome of the trial in any manner.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**(MANISHA BATRA)
JUDGE**

22.12.2025	Whether speaking/reasoned:-	Yes/No
Amit Sharma	Whether reportable:-	Yes/No