



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

CRM-M-60573-2024

Date of decision: 06.05.2025

MUNNA LAL GUPTA

....PETITIONER

Versus

STATE OF HARYANA

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rohit, Advocate and
Mr. Jagjot Singh, Advocate for
Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Amit Choudhary, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
721	23.08.2024	3 (5) (Common Intention), 308 (4) (Extortion), 324 (4) (Mischief) of BNS, 2023.	Palla, Faridabad, Haryana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 03.12.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 03.12.2024.

3. Learned State counsel, on instructions from ASI Ram Singh, intimates the Court that the petitioner has joined investigation and is

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neither required for further investigation nor for any custodial interrogation.

4. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioner. Hence, prays for dismissal of the petition.

5. During the course of hearing on 03.12.2024, following order was passed:

“ The FIR was lodged at the instance of Rajender Saini, wherein it is alleged that he had purchased a plot measuring 150 Sq. Yds. situated in Ismailpur, Nikhil Vihar, Part-2 in the year 2014 from one Surender Aggarwal for a consideration of Rs.19.5 lakhs through General Power of Attorney. However, when he tried to raise construction upon the same, then Munna Lal Gupta (petitioner), Subhash Soni and Ikram Khan started demanding money from him. It is alleged that while an amount of Rs.60,000/- had already been paid by him to Munna Lal Gupta, now the other co-accused namely Subhash Soni and Ikram Khan were demanding another amount of Rs.40,000/- per square yard and had also demolished the wall and were threatening that in case the aforesaid amount is not given, he will be done to death.

Learned counsel for the petitioner submitted that the petitioner is a President of Green Estate HRE Plot Holders Association, Faridabad and as a matter of fact the complainant is aggrieved on account of the fact that General Power of Attorney on the basis of which the complainant claimed to be owner of the plot in question had been cancelled by the Court of Ms. Rachna, Civil Judge (Jr. Division) though



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an appeal against the same is still pending and that on account of which he could not raise the construction. It has been submitted that since the issue is to be decided by the Civil Court, the petitioner at best has only been trying to protect the interest of the society, whereas the allegations levelled in the FIR are absolutely false.

Notice of motion for 1.4.2025.

At this stage, Mr. Amit Choudhary, Advocate has put in appearance on behalf of the complainant and has filed Vakalatnama, which is taken on record. Learned counsel representing the complainant has objected to the contentions raised on behalf of the petitioner and has asserted that the petitioner is not President of the Association, as is claimed by him.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 482 BNSS.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 03.12.2024 passed by this Court, interim bail granted vide order dated 03.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating



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Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.
8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.05.2025
kanika

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |