



**In the High Court for the States of Punjab and Haryana  
at Chandigarh**

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CRM-M-58816-2025 (O&M)  
Date of Decision:- 30.10.2025

Sukhdeep Singh ... Petitioner  
Versus  
State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present:- Mr. G.S. Ghuman, Advocate with  
Mr. P.S. Maan, Advocate,  
for the petitioner.  
  
Mr. Yadwinder Singh, Assistant A.G., Punjab.

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**SUBHAS MEHLA, J.** (Oral)

1. The instant petition under Section 438 of Cr.P.C. (482 of BNSS, 2023), has been filed for grant of anticipatory bail to the petitioner in case FIR No.0056 dated 21.03.2025, registered under Sections 318(2), 336(2), 319(2), 61(1), 339 of BNS, 2023, at Police Station Samrala, District Khanna.
2. Learned counsel for the petitioner contended that the petitioner is a farmer and has been falsely implicated in the present FIR on the basis of disclosure statement of co-accused; the petitioner along with co-accused, by impersonation induced the complainant to purchase 12 acres of land, and consequently an Agreement to Sell dated 09.01.2025 was executed and complainant paid a sum of Rs, 50,00,000/- (Rupees fifty lakh only) as earnest money to two co-accused acting as owner of the property and brother of the owner; petitioner was nominated as an accused upon the disclosure statement of main accused, who alleged that some of the amount received from the

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complainant has been given to the present petitioner. Learned counsel further contended that nothing is to be recovered from the petitioner; he has clean and clear antecedents as he is not involved in any other criminal activity; he did not receive any money from the complainant neither through cash nor through bank account, and no financial transaction has been established to show that he has received any funds from the complainant; thus, he prayed for grant of anticipatory bail to the petitioner.

3. Learned State counsel has vehemently opposed the bail petition and contended that the petitioner actively participated in preparation of forged documents with co-accused, supplying clothes, stitching mufflers, turban etc. to the co-accused for concealing identity and also actively participated in supplying 3 vehicles and mobile phones along with co-accused Tarsem Singh. He is required for recovery of earnest money and thus, he prayed for dismissal of anticipatory bail application of the petitioner.

4. Heard.

5. Keeping in view the facts of the present case and contentions of the learned Counsel of the parties, this Court finds that the petitioner along with the co-accused, by impersonation induced the complainant to purchase 12 acres of land, and consequently an Agreement to Sell dated 09.01.2025 was executed and complainant paid a sum of Rs, 50,00,000/- (Rupees Fifty Lakh only) as earnest money to two co-accused acting as owner of the property and brother of the owner; petitioner was nominated as an accused upon the disclosure statement of main accused, who alleged that some of the amount received from the complainant has been given to the present



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Petitioner, the petitioner has played an active role to help the main accused in preparing forged documents; the petitioner played an active role in helping the co-accused to conceal their identities by providing clothes, sticks, turban and muffler; the petitioner along with another co-accused Tarsem Singh arranged 3 vehicles and mobile phones for the other co-accused; petitioner's custodial interrogation is necessary for an effective investigation, this court is not inclined to grant the relief of anticipatory bail to the petitioner. It is an extraordinary remedy which can be granted only in rare cases where the accused is prima facie deserving of the said relief, and no such circumstances are made out in the present case.

6. Custodial interrogation of the petitioner is required in view of law laid down by the Hon'ble Supreme Court in case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806**' decided on 03.08.1997, as under:-

*"....custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible Police Officers would conduct themselves in a*

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*responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders.”*

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

30.10.2025

Geeta

( SUBHAS MEHLA )  
JUDGE

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |