



212

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

CRM-M-65530-2024

Date of decision: 27.01.2025

Himanshu Kumar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Harsh Aggarwal, Advocate
for the petitioners.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of BNSS seeking anticipatory bail in case bearing FIR No.249 dated 02.12.2024 (Annexure P-1) under Sections 406/420/120-B of IPC registered at Police Station City Rajpura, District Patiala.

On 27.12.2024, the following order was passed:-

'The petitioners pray for the grant of pre-arrest bail in a criminal case arising from FIR No. 249 dated 02.12.2024 registered under Section 406, 420, 120-B IPC at Police Station City Rajpura, District Patiala.

As per the case of the prosecution, the mother of petitioner no.1 and wife of petitioner no.2 purchased some property from the first informant vide sale deed dated 06.02.2024 for a sum of Rs.6,75,000/- which was payable by cheque. However, the aforesaid cheque was never handed over to the first informant. The petitioners claim that there were various transactions between the petitioners and the first informant and a complaint under Section 138 of the Negotiable Instruments Act, 1882 filed by petitioner no.2 against the first informant has been decided. He further submits that payment was made to the first informant through cheque of Sh.Varun Kumar son of vendee namely Smt. Anita which was withdrawn by the first informant on 07.02.2024 and in fact, no criminal case is made out against the petitioners.

Sh.Kulwinder Singh, Advocate, while entering appearance on behalf of the first informant submits that value of the property was Rs.95,00,000/- and the sale deed has been executed for a sum of Rs.6,75,000/- in order to save the stamp duty. It is further submitted



CRM-M-65530-2024

-2-

that payment of Rs.95,00,000/- was promised but never made.

Notice of motion.

On asking of the Court, Mr. Manmeet Singh Teji, AAG, Punjab, accepts notice on behalf of the State.

Mr. Kulwinder Singh, Advocate, enters appearance on behalf of the first informant.

List on 27.01.2025.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.'

Learned State counsel on instructions from ASI Nishant, at the very outset informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 27.12.2024 is hereby made absolute. The petitioners shall abide by the terms and conditions envisaged under Section 482 (2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

27.01.2025

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No