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

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**CRM-M-64177-2025
Decided on:14.11.2025**

Babbar Singh alias Babar Singh

...Petitioner

Versus

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Ravinder S. Randhawa, Senior Advocate, with
Mr. Rahul Sharma, Advocate, and
Ms. Tarranum Madan, Advocate, for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J.

1. Prayer in the present petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner in a case FIR No.247 dated 17.09.2025, registered under Sections 316(2), 318(4), 336(3), 338, 340(2) and 61(2) of the BNS, 2023, at Police Station Samrala, Police District Khanna, District Ludhiana.

2. Succinctly, the facts of the case are that the present FIR was registered on the complaint of Joginder Kumar, in which it had been alleged that the petitioner was working as a Housing Loan Officer in the ICICI Bank and got acquainted with Avtar Singh who told him that he along with his colleagues were running Generation Framing Company in Samrala. It was told that they used to provide information about organic products and produces and also selling these organic products. The complainant and his brother-in-law were allured on saying by the accused persons that if they invest their money in

their company, they would earn huge profit and on hearing this, the

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complainant agreed to invest huge money in their company. He and his brother-in-law Manoj Kumar together transferred an amount of Rs.23,75,000/- from the account of his brother-in-law Manoj Kumar. However, later on, it was found that owner of this firm used to trap gullible people on fake promises of earning huge profit. They prepared fake agreements in the name of their firm and provided fake agreements to the customers. When they found themselves cheated for an amount of Rs.23,75,000/-, they made the complaint and request was made to take legal action against all the culprits. On registration of the FIR, the investigation commenced. During investigation, the complicity of the petitioner surfaced and, thus, apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, Ludhiana for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 04.11.2025. Hence, aggrieved against the said order, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner is neither a Director nor a Member of the company and, thus, he is not associated in any manner with the alleged firm. He submitted that the petitioner has been roped in the present case only on the basis of disclosure statement of the co-accused Jaspreet Singh which is not admissible in evidence. He further submitted that from the allegations levelled in the FIR, no *prima facie* case, as alleged, is made out against the petitioner and, thus, the petitioner deserves to be granted concession of anticipatory bail.

4. *Per contra*, learned State counsel has vehemently opposed the bail application and submitted that complicity of the petitioner has been surfaced during investigation. It is submitted that during investigation it has been found that the petitioner facilitated sale of four acres of land of Ravinder Singh to different persons and he earned huge profit by taking higher rates from the

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customers for purchase of those plots. It was found that the petitioner used Rs.74 lacs from the account of Generation Farming Company for purchasing the property from Harsh Aggarwal and executed agreement to sell with him for a total sale consideration of Rs.15 Crores. He, thus, submitted that to unravel the mystery, custodial interrogation of the petitioner is necessary. Thus, he submitted that the present petition, being devoid of any merit, deserves to be dismissed.

5. After hearing learned counsel for the parties and perusing the available record, it is deciphered that complicity of the petitioner in the alleged commission of offence has been unearthed during investigation and it has been found that the petitioner used huge amount of money from the account of the Generation Farming Company, in which the gullible people had invested their hard earned income. The source of investment of Rs.15 Crores at the hands of the petitioner and also of the properties in which he invested the money of Generation Farming Company is yet to be established and, thus, keeping in view the gravity and seriousness of the offences, the contentions raised by the learned counsel for the petitioner cannot be appreciated at this stage where he has approached this Court for the grant of concession of anticipatory bail. However, the same could be appreciated at the relevant stage.

6. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

“482. Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such*

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directions in the light of the facts of the particular case, as it may think fit, including

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous 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.”*

7. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable 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. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he 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 task of disinterring offences would not conduct themselves as offenders.”

8. Hon'ble Apex Court in plethora of judicial precedents including

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and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

9. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

10. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in their favour. Resultantly, the present petition, being devoid of any merit, is hereby dismissed.

11. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

November 14, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES