

CRM-M-70056-2025

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

CRM-M-70056-2025

Decided on: 23.12.2025

Gurdeep Lal

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

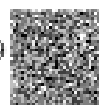
Present: Mr. Ramdeep Partap Singh, Advocate and
Mr. Sahil Kaur, Advocate, for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Rajesh Bhardwaj, J.

1. Prayer in the present petition 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), 61(2) of BNS, 2023 (Section 111, 238 of BNS, 2023 and Sections 4 & 5 of Prize Chits and Money Circulation Scheme (Banning Act, 1978) added lateron), at Police Station Samrala, District Ludhiana.

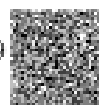
2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of the complainant, namely, Joginder Kumar. It was alleged that he works for ICICI Bank handling housing loans. He met Avtar Singh, who informed him that he and his associates started a company called 'Generation of Farming Company' in Samrala and in this Company, they provide information regarding organic products and sell organic products that they produce and earn substantial profit from this business. Avtar Singh informed the complainant that he works as an investor in this company and if he invests in this company, he will get high returns. The



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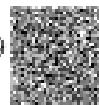
complainant agreed to invest in the company and visited the farm in village Gehlewal with Avtar Singh where he introduced with Managing Directors of the company and other associates. Thereafter, the complainant and his brother-in-law Manoj Kumar together transferred an amount of Rs.23,75,000/- from the account of his brother-in-law to Randhawa Farm and Rs.2,00,000/- deposited in the account of Ravinder Singh on 26.03.2025. The owners of the company assured them that payments would come gradually. Subsequent to this, the complainant received only Rs.3,00,000/- from the company, but thereafter, no further money received by the petitioner or his brother-in-law. On enquiry, they discovered that the proprietors of the farm deceived innocent people, promising higher returns for less money and thereafter, embezzled their funds. They also prepared forged agreement in the name of the firm and they provided the complainant and his brother-in-law a forged agreement as well. Thus, request was made to take legal action against the owners and workers of the firm for cheating the complainant and his brother-in-law for an amount of Rs.25,75,000/-. On the registration of the FIR, the investigation commenced. During the investigation, the software made by Amandeep Bajwa was checked in the Cyber Cell and names of the persons were came to the fore, who had earned huge profits and petitioner Gurdeep Lal is one of those persons. Hence, he was also arrayed as an accused. Apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of anticipatory bail, however, after hearing both the side, learned Court declined the same, vide order dated 07.11.2025. Hence, the petitioner is before this Court by way of filing the present petition praying



for grant of anticipatory bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is not named in the FIR and he has no link with the present FIR. He submits that neither the petitioner is known to the complainant nor the complainant urged anything against him in the FIR, however, the petitioner has been implicated in the present case after about 20 days of the registration of the FIR. He submits that no amount has been transferred in the account of the petitioner, rather he himself is a victim as invested in the said firm. He further submits that the petitioner is not even director/signatory/partner in the company and thus, he has no role to play in the business of the company. He has submitted that no FIR was lodged against the petitioner, prior to lodging of the present FIR. It is submitted that co-accused Bikramjit Singh has been granted regular bail and co-accused Jawinder Kaur has been granted anticipatory bail by this Court. He submits that nothing is to be recovered from the petitioner and thus, in these circumstances, he deserves to be granted anticipatory bail.

4. Per contra, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. She submits that the petitioner alongwith the co-accused cheated and misappropriated huge amount of the complainant and other the innocent persons. She submits that there are serious allegations against the petitioner and co-accused. She has submitted that the petitioner is involved in four other cases of similar nature. She submits that anticipatory bail of the co-accused has also been dismissed by this Court vide order dated 14.11.2025 passed in



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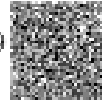
CRM-M-64177-2025. She submits that the case is under investigation and custodial interrogation of the petitioner is required to unearth the mystery. She, thus, submits that no case for grant of anticipatory bail to the petitioner is made out.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner alongwith the co-accused committed cheating, forgery and misappropriation of huge amount of the complainant and other innocent persons, who had invested on their allurements. Role of the petitioner is stated to be 'leader' of the company. Investigation is at the initial stage and custodial interrogation of the petitioner is required to recover the amount involved in the present case and to know about the persons, who invested in the company on his asking. Petitioner is stated to be involved in four more FIRs.

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 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](#) if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disintering 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 disintering offences would not conduct themselves as offenders.”

8. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC

1632, has time 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 his favour. Resultantly, the 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.

23.12.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No