

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:177280



214

CRM-M-70995-2025 (O&M)
Date of decision:22.12.2025

Manjit @ Manjeet

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Deep Inder Singh Walia, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Harmanpreet Kaur, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.163, dated 17.11.2025, under Sections 318(2), 329, 329(4), 351(1) and 62 of the BNS, registered at Police Station Jodhewal, District Ludhiana.

2. The aforementioned complaint was filed by the complainant – Suraksha Jain on the allegations that she was owner of a plot measuring 120 sq. yards located in the vicinity of village Kakowal, Ludhiana. The petitioner, who is a property dealer by profession, has forcibly taken possession of that plot by erecting two pillars and installing a gate and is now extending threats to her and is criminally intimidating her.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which was dismissed by the Court of learned Sessions Judge, Ludhiana vide order dated 05.12.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is lawful owner of the property in question by virtue of a sale deed duly registered on 17.09.2024 against due sale consideration. The property which is owned by the petitioner is part of some other khasra number and not of the disputed plot. He has filed a civil suit against the complainant, who tried to dispossess him. He is a bonafide purchaser of the property. Ingredients for commission of the subject offences are not attracted against him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. With these broad submissions, it is urged that he deserves to be extended the benefit of pre-arrest bail.

5. Reply on behalf of the respondent/State has been filed. Power of attorney has been filed on behalf of the complainant. Learned State counsel assisted by learned counsel for the complainant has argued that there are specific allegations against the petitioner, who has usurped the plot owned by the complainant and has criminally intimidating her. His custodial interrogation is required for conducting thorough and proper investigation in the mater.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have taken illegal possession of the

property purchased by the complainant on the basis of sale deed Annexure P-5. There are rival claims between the parties with regard to the identification of the property purchased by them respectively which cannot be adjudicated upon by this Court. Subject offences are triable by the Magistrate. Given the nature of the allegations, this court is of the considered opinion that pre-trial incarceration of the petitioner is not required. The case is based on documentary evidence. Taking into consideration the above discussed facts but without meaning to make any comment on the merits thereof, the petition is allowed and the petitioner is ordered to be released on bail, subject to the condition that he shall surrender before the Investigating Officer/Arresting Officer within a period of one week from today and shall join the investigation. He shall also join investigation as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

8. Pending application(s), if any, shall also stands disposed of.

22.12.2025

harjeet

(MANISHA BATRA)
JUDGE

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