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**114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-73022-2025**

Decided on: 23.12.2025

Satwant Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Ranjeet K. Jaswal, Advocate, for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.437 dated 04.11.2025, registered under Sections 406, 420 IPC, at Police Station Sector-13/17, District Panipat.

2. Succinctly facts of the case are that the FIR in the present case was registered on the statement of Sanjay Kumar. It was alleged that the complainant purchased a plot measuring 100 sq. yards situated at Sant Nagar, Gali No.3, Panipat from Satwant Singh (petitioner) on 13.02.2019, for which full and final payment was also made by the complainant and since then, he is in possession of the same. It was alleged that when the complainant started to raise construction on the said plot, then HUDA Department stopped him and informed that the said land pertains to HUDA Department. Thereafter, the complainant informed Satwant Singh about the same and to get the sale deed executed in his favour, however, accused Satwant Singh refused to get the sale deed registered. It was further alleged that neither the accused is getting the sale deed registered nor he is cooperating with him. The accused threatened him that in case, the complainant files a case against him, he would commit suicide. The accused is also involved in a FIR No.585 dated 24.04.2018 pertaining to registration of sale deed of Khasra No.941. The complainant made a complaint on



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21.04.2025 for the same, however, no action has been taken on the same. Hence, the FIR was registered to take legal action against the petitioner. Apprehending arrest, the petitioner approached the Court of learned Addl. Sessions Judge, Panipat, for the grant of anticipatory bail. Learned Court after hearing both the sides, finding no merit in the petition filed by the petitioner, dismissed the same vide order dated 08.12.2025. Hence, aggrieved by the same, 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. He submits that the petitioner was the owner of the land total measuring 09 bighas, 10 biswas, situated at Taraf Insar, Panipat, however, after two years of purchase of the said land, the same was acquired by State of Haryana in the year 1989. He submits that some of the landowners challenged the acquisition of land before this Court by way of filing CWP-5029-1992, which was disposed of by this Court vide order dated 07.10.2013 with a direction to the respondents therein to carry out fresh survey and re-demarcation of the land in question. He further submits that in view of the order dated 07.10.2013, the entire land of Patti Taraf Insar (now Sant Nagar) was released from acquisition and land surrounding the land of the petitioner, was developed as residential colony. He submits that lateron, the said land was released from acquisition vide notification dated 15.01.2014 followed by notification dated 30.04.2018. Thereafter, the petitioner requested the vendors of the land to get the sale deed executed in his favour, however, they did not come forward to get it executed, hence, the petitioner filed a suit for specific performance of the agreement dated 24.02.1987,



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which was decreed in his favour vide judgment and decree dated 15.09.2018. It is submitted that it was only at the time of execution of the decree, he came to know that the land has already been transferred in the name of HDA in the revenue record in view of the acquisition, whereas, the entire land of Patti Taraf Insar, Panipat had already been released from the acquisition, but in the revenue record, the same has never been corrected by the officials. Thus, the petitioner approached this Court by way of filing CWP-6552-2022, challenging the acquisition proceedings and for release of the land in question, which is pending adjudication before this Court for 10.02.2026. He has further submitted that the complainant entered into the agreement dated 13.02.2019 with full knowledge of the said litigation and he intentionally lodged the present FIR against the petitioner with ulterior motive. Even otherwise, the agreement dated 13.02.2019 is governed by the law of limitation, where Article 54 of the Limitation Act, 1963 provides the period of three years for seeking specific performance of the agreement, which admittedly, the complainant has not availed within the limitation and thus, the registration of the present FIR, is totally an abuse of the process of the Court. He has relied upon the judgments of Hon'ble Supreme Court in Hridaya Ranjan Prasad Verma vs. State of Bihar, (2000) 4 SCC 168; Vesa Holdings Pvt. Ltd. vs. State of Kerala, (2015) 8 SCC 293; Dalip Kaur vs. Jagnar Singh, (2009) 14 SCC 696 and Sushil Sethi vs. State of Arunachal Pradesh, (2020) 3 SCC 240. He, thus, submits that in these facts and circumstances of the present case, the petitioner deserves to be granted anticipatory bail.

4. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the



decree as relied upon the petitioner is an *ex parte* decree, which is obtained by him for the plot which belonged to HUDA Department and was not owned by Kanwar Jeet Singh and Rajwant Singh, who were the earlier owners of the land. He further submits that in the decree no title document was produced by him. He has submitted that after having been cheated by Kanwar Jeet Singh and Rajwant Singh, the petitioner cheated the complainant Sanjay Kumar and recovery of Rs.7 lacs is yet to be effected. He, thus, submits that granting anticipatory bail to the petitioner at this stage, would scuttle the investigation, which is at the initial stage.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that civil suit filed by the petitioner for specific performance of the land in dispute against the persons who were not the owners of the land and obtained an *ex parte* decree qua the land belonged to HUDA Department. Even the petitioner did not produce any document of title i.e. allotment letter, possession letter etc. As submitted before this Court, the petitioner after having been cheated by Kanwar Jeet Singh and Rajwant Singh and further entered into an agreement to sell with the complainant and duped him with Rs.7 lacs. Hence, custodial interrogation of the petitioner is required for recovery of the said amount.

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 ensconced 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 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



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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

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No