



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-5969-2026 (O&M)
Date of Decision:- 08.04.2026

Gurpreet Singh Sidhu ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Sonpreet S. Brar, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.348 dated 12.12.2024 (Annexure P-1), registered under Section 420 of IPC, at Police Station Sohana, District SAS Nagar (Mohali), Punjab.
2. Learned counsel for the petitioner contended that the dispute in question is essentially of a civil nature arising between the petitioner and the complainant (Jagdeep Singh). It is submitted that the petitioner is the Managing Director of M/s Emerging India Housing Corporation Pvt. Ltd., Mohali, and the flat in question was initially booked by one relative (*Chacha*) of complainant. The said flat was subsequently transferred to name of other relatives in accordance with the wishes of the complainant or the persons who booked the flat. Learned Counsel further submitted that a showroom space was also transferred in favour of the complainant, namely Ajay Bansal, and the sale deed has also been executed which is already on record (Annexure P-



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3). It is further contended that it is a civil dispute and converted into a criminal one just to arm twist the petitioner with the help of police. It is further contended that in case of any grievance relating to delay in possession or deficiency in service, the complainant could have availed remedies before the appropriate forums such as RERA or the Consumer Court; however, instead of resorting to such remedies, the present FIR has been lodged. Learned counsel submitted that on similar allegations, other FIRs have been registered against the petitioner and the present FIR has also been registered mechanically by the police. Learned counsel further stated that the petitioner has already been granted bail in another FIR by a Coordinate Bench of this Court vide order dated 25.03.2026 passed in CRM-M-68609-2025 in a similarly situated case. Additionally, the petitioner was granted regular bail in another FIR by the learned Additional Sessions Judge, Sangrur, vide order dated 10.06.2022. It is further submitted that the petitioner is in custody for the last one year, i.e. since 20.04.2025. The offences alleged are triable by a Magistrate, and the trial is likely to take considerable time to conclude, therefore, the petitioner deserves the concession of regular bail.

3. On the other hand, learned State counsel opposed the prayer made by learned counsel for the petitioner by submitting that the petitioner has duped the complainant by receiving an amount of Rs.1,65,00,000/- without handing over possession of the flat. It is contended that despite receipt of such a substantial amount, the petitioner has failed to fulfill his obligations, thereby committing a serious offence. However, learned State counsel fairly admitted that the flats at the site were under construction. It is further submitted that the petitioner is involved in as many as six other cases



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of similar nature. Hence, learned State counsel prayed for dismissal of the present petition.

4. Heard.

5. Keeping in view the facts and circumstances of the case and without commenting upon the merits of the case, the petitioner is in custody for the last more than 11 months; the petitioner has already been granted bail in another FIR by a Coordinate Bench of this Court vide order dated 25.03.2026 passed in CRM-M-68609-2025 in a similarly situated case; and the petitioner was granted regular bail in another FIR by the learned Additional Sessions Judge, Sangrur, vide order dated 10.06.2022; the trial is likely to take considerable time to conclude, and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

08.04.2026

Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No