

2026.PHHC.048439



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-7511-2026

Date of decision: 27th March, 2026

Sukhdev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Monika Thakur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Mr. Dilpreet Singh Gandhi, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 04 dated 13.01.2026 registered under Sections 447, 427 and 420 of IPC at Police Station NRI, Ludhiana.

2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Gagandeep Singh alleging that his mother Smt. Charanjit Kaur and aunt Sharanjit Kaur were co-owners of a property measuring 260 sq. yards situated at New Janta Nagar, Ludhiana. He along with his father used to conduct business in the same property under the

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name of Pannu Teleshop. Goods/stock worth Rs. 26,02,500/- was lying in the shop/showroom. He is a non resident Indian and currently residing in USA. On 18.03.2021, his mother had died. After her death, the petitioner along with his father and brother became co-owner to the extent of equal share in the share of her mother in that property. His father had gone under depression due to death of his wife and was unable to do his business. At that point of time, the present petitioner, who is cousin of the complainant along with his mother Sharanjit Kaur and Arshdeep Singh came to the complainant and offered to take over the business of his father and himself and to give half share of the profits after deducting expenses. Some other persons took responsibility for the same. Believing the petitioner and his family members, the complainant handed over stock as well as business of Pannu Teleshop to the petitioner, his mother and Arshdeep Singh and had gone back to USA on 25.07.2021. Gradually, the petitioner and others stopped talking to him. He came to know that on the pretext of doing business, the petitioner and co-accused had taken over the entire stock, divided the same amongst themselves, had demolished the showroom built on the property, had built godowns and shops and gave the same on rent thereby earning money by cheating the complainant without his consent and knowledge. Even the signboard to the shop had been removed and the entire business run in the name of his father had been ended by destroying the relevant record including the computers so as to eliminate the evidence of transactions. When the father of the complainant questioned them, he was threatened by the petitioner and co-accused. By alleging that the

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petitioner along with the co-accused had cheated the complainant and his family, had illegally taken possession of the property owned by them and had damaged it, the complainant prayed for taking action.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Ludhiana, which was dismissed vide order dated 28.01.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The father of the complainant is a political influential person and has foisted this FIR upon him. The dispute between the parties is of civil nature which has been given a criminal colour. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, argued that he deserves to be extended benefit of pre-arrest bail.

5. Mr. Dilpreet Singh Gandhi, Advocate has put in appearance on behalf of the complainant and has filed his power of attorney.

6. Status report has been filed by respondent-State. Learned State counsel assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner as with intent to cheat the complainant and his family and to cause wrongful loss, he had induced them to take over business of his father by making promise to give equal returns after deducting expenditure, but instead of doing the same, he had made material alterations in the shop, carved out totally new property and gave the

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same on rent to derive undue benefit. He is beneficiary of the transaction. For conducting thorough investigation, to get the entire record pertaining to conducting business by the father of the complainant/complainant in the property in dispute, his custodial interrogation is must. No exceptional or sparing circumstance for grant of bail is made out. Therefore, it is argued that the petition does not deserve to be allowed.

7. This Court has heard learned counsel for the parties at considerable length.

8. The petitioner along with the co-accused is alleged to have cheated the complainant by inducing him to take over the business run by the complainant/his father and then, causing destruction of entire evidence as to the said business, converting the property owned by the family of the complainant to his own use and for his wrongful gain. The allegations *prima facie* make out a case of cheating as against the petitioner. For the purpose of conducting proper investigation in the matter, custodial interrogation of the petitioner is must. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly and in exceptional circumstances. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity of allegations as

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levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
10. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th March, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |