



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
103  
CRM-M-23164-2025  
Decided on: 25.03.2026  
SUMER CHAND ALIAS SHAMER CHAND AND ANOTHER  
.....Petitioners  
Versus  
STATE OF PUNJAB  
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ripudaman S. Sidhu, Advocate, (through VC mode)  
for the petitioners.  
Mr. Neeraj Madaan, Sr. DAG, Punjab.

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SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name & age of Petitioner (s)                                                                 | FIR No. | Date       | Section(s)                       | Police Station | District |
|----------------------------------------------------------------------------------------------|---------|------------|----------------------------------|----------------|----------|
| (1) Sumer Chand alias Shamer Chand, aged about 74 years, (2) Anil Josan, aged about 39 years | 0129    | 11.09.2024 | 420/465/467/468/471/120-B of IPC | Jalalabad      | Fazilka  |

2. On 01.05.2025, following order was passed:-

“2. Learned counsel for the petitioners, inter alia, contends that FIR has been registered at the instance of the commission agents in the grain market namely Tilak Raj, wherein it has been alleged that accused persons had purchased paddy/varieties of Basmati 1121, valuing Rs.3,17,97,348/-, and payment



*of Rs.1,81,79,537/-, is still due to be paid by the accused persons. Even the cheques issued by the accused got bounced. Thus, it is alleged that the accused mentioned in the FIR have cheated the commission agents, with an amount of Rs.1,81,79,537/-.*

*He further submits that alleged sale and purchase of the paddy took place between the year 2014 to 2018 and merely on account of monetary dispute, after expiry of the limitation period for filing the suit for recovery, just to twist the arm of the purchasers (accused herein), in connivance with the police, present FIR has been registered.*

*He also submits that as per the settled proposition of law, registration of criminal case for the purpose of recovery of the amount, which is the subject matter of the sale and purchase, is not justifiable.*

3. *Counsel for the petitioner also points out that the similar complaints were moved against the petitioners, earlier also. However, after examination, it was found that the petitioners have paid back the complete amount, and thereafter, the same were closed.*

4. *He also submits that petitioners are ready to resolve the alleged monetary dispute, subject to the acceptance of the same by all the concerned, including the complainant. Moreover, they are ready to join the investigation by fully cooperating to the investigating agency, if they are protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Luvinder Sofat, Senior DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report.*

7. *Adjourned to 23.07.2025.*

8. *Let the amended memo of parties be filed by counsel for the petitioners, by impleading the complainant, namely, 'Tilak Raj son of Sh. Fakir Chand, resident of Rayiya, Tehsil Baba Bakala Sahib, District Amritsar', in the array of respondents, within a period of two days from today, in the Registry, without moving any separate application. Upon filing of the amended memo of parties and subject to the deposit of the requisite process fee, let notice be issued to the newly impleaded parties, for the next date of hearing.*



9. *In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.*

*It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”*

3. Continuing his submissions, learned counsel for the petitioners contends that in compliance of the order dated 01.05.2025, passed by this Court, petitioners have joined the investigation, and have fully co-operated.

Further submits that passports have already been handed over to the investigating officer by the petitioners. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioners of joining the investigation on 18.07.2025 by the petitioners, and submits that as of now, custodial interrogation of the petitioners is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioners have already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated

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01.05.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**25.03.2026**

Lavisha

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**