



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

245

CRM-M-27397-2026

Date of decision :19.05.2026

Date of uploading :19.05.2026

Jagtar Singh @ Bunty

.....Petitioner

Versus**State Of Punjab**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Jaidka, Advocate and for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.200 dated 19.11.2025 under Sections 316(2), 318(4), 61(2), 336(2), 338, 336(3), 340(2) of BNS, registered at Police Station Dugri, District Ludhiana.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"Application No. PGD 532009, Complaint No. 532780 dated 19- 02-2025 by Manpreet Singh son of Harjit Singh, resident of House No. 2193, Main Market, Abdullapuri Basti, Ludhiana, after inquiry for registration of a case, was received at the police station through post from the office of the Hon'ble Commissioner of Police, Ludhiana, the contents of which are as under: "To, The Hon'ble Commissioner of Police, Ludhiana. Subject: Application against 1). Jaswant Singh (Aadhaar Card No. 9832-5512-4275) son of Gajjan Singh, resident of House No. 2185, Guru Nanak Colony, Gill, Tehsil and District Ludhiana (address as shown in the Sale Deed) and House No. 2185, Gill-2, Chupki, District Ludhiana (address as shown in Aadhaar Card) and presently residing near Gurdwara Godri Sahib, Faridkot City, Punjab (Mobile No. 75270-73822, 91159-45602), 2). Balwinder Singh alias Sonu (Aadhaar Card No. 7348-9865-2212) son of Satnam Singh, resident of House No. 2, Ward No. 61, Shaheed Bhagat Singh Nagar, Dugri, Ludhiana (Mobile No. 98552-92808, 70094-57492) (Witness), 3). Manjit Singh (Nambardar), Shaheed Bhagat Singh Nagar, Ludhiana (Mobile No. 89238-00074), 4). Jagtar Singh (Aadhaar Card No. 5145-8306-9373) son of Gurdev Singh, resident of House No. 965, Street No. 16,



Shaheed Bhagat Singh Nagar, Dhandra Road, Gill, Ludhiana, 5). Jagira Singh (Aadhaar Card No. 2665-5626-0176) son of Makhan Singh, resident of House No. 23, Shaheed Bhagat Singh Nagar, Ludhiana and 6). Surjit Singh alias Sonu (Aadhaar Card No. 3474-5673-0403) son of Buta Singh, resident of Mahavir School, Shaheed Bhagat Singh Nagar, Gill, Ludhiana, for taking appropriate and legal action in the matter of showing the applicant a plot belonging to another person, getting a sale deed executed, committing fraud for money, and now prevaricating when the applicant demands his hard-earned money, all in collusion with the Sub-Registrar, Ludhiana (South) and several other officials of the said department. Sir, It is submitted that I, Manpreet Singh son of Harjit Singh, am a resident of House No. 2193, Main Market, Abdullapur Basti, Ludhiana, and make the following submissions: 1) That I am a resident of the aforesaid address, an Indian citizen who believes in Indian law, and I support my family by running a grocery business. 2) That the applicant was desirous of purchasing a plot, in which regard the applicant knew the aforesaid accused No. 4 and used to meet him often. When the applicant mentioned his intention to purchase a plot, the said accused No. 4, Jagtar Singh, showed the applicant a plot measuring 150 square yards, part of Khasra No. 1580, Khata No. 2008/2657, from Jamabandi for the year 2010-2011, situated at Village Gill-2, Hadbast No. 263, Abadi Guru Teg Bahadur Nagar, Tehsil and District Ludhiana, through accused No. 5, Jagira Singh, and accused No. 1, Balwinder Singh, and stated that the owner and possessor of the said plot is accused No. 1, Jaswant Singh, and that he is desirous of selling the said plot. 3) That in this regard, accused No. 2, Balwinder Singh, colluded with his acquaintance, accused No. 6, Surjit Singh, with the intention of selling the said plot to the applicant, and accused Nos. 2, 4, 5, and 6 conspired together. In this connection, the said accused No. 2, Balwinder Singh, arranged a meeting at his house to finalize the deal for the said plot between the applicant and accused No. 1. There, the deal for the said plot was settled between the applicant and accused No. 1 for Rs. 15 lakhs in the presence of accused Nos. 2, 4, and 5. An amount of Rs. 5 lakhs was duly paid as earnest money in cash in the presence of the mother of the said accused No. 2, and the date for the execution of the sale deed was mutually agreed upon by both parties as 15-11-2024. Thereafter, the said accused No. 1, through accused Nos. 2, 4, and 5, started putting pressure on the applicant, stating that accused No. 1 was in dire need of money. Consequently, the applicant, with great difficulty, borrowed Rs. 2,50,000/- from his acquaintances and gave it to the said accused No. 1 in the presence of accused Nos. 2, 4, and 5 at the office of former Sarpanch Kirandeep Kaur, in the presence of her husband, Mohan Kumar. 4) That after some time, the said accused No. 1, through accused Nos. 2, 4, and 5, started pressuring the applicant to get the sale deed executed quickly, stating that accused No. 1 was in dire need of money. In response, the applicant said that he would arrange the money and inform them as soon as possible, and until then, they should obtain the necessary documents related to the said property. The said accused Nos. 1, 2, 4, and 5 then assigned the responsibility of collecting the necessary documents for the said property to accused No. 6. The said accused No. 6, in collusion with officials of the Revenue Department, prepared forged and fabricated documents for the said property. 5) That the date for executing the sale deed of the said property was mutually agreed upon by the vendor (i.e., accused No. 1) and the vendee (i.e., the applicant) as 15-11-2024. However, the applicant, with great difficulty, borrowed money from his acquaintances and informed accused No. 1, through accused Nos. 2, 4, and 5, that he was ready to get the sale deed executed on 20-09-2024. On 20-09-2024, the applicant paid the remaining amount of Rs. 7,50,000/- in the Innova car of accused No. 6, Surjit Singh, in the presence of the said accused Nos. 2, 4, 6, Mohan Kumar (husband of former Sarpanch Kirandeep Kaur), and the applicant's brother, Jaspreet Singh. When the applicant inquired about accused No. 5, Jagira Singh, at that time, the other accused persons cited his illness. After receiving the remaining amount, accused No. 1 had the sale deed for the said property executed in favour of the applicant at the office of the Sub-Registrar, Ludhiana (South), through Deed No. 2024-202/103/4/704 dated 20-09-2024, with accused No. 3, Manjit Singh, as the Nambardar witness and accused No. 2, Balwinder Singh, as another witness. A copy of the same is attached herewith. 6) That about 10 days after receiving the sale deed of the said property, when the applicant went to the purchased property on 12-10-2024 and started cleaning the plot, after a while, other individuals came to the plot, who claimed to be the owners and possessors of the said plot and showed their documents for the said plot. Thereafter, when the applicant and the other individuals got their property documents verified, the applicant was shocked to find that the said accused persons, in collusion with each other, had usurped his hard-earned money and committed fraud against him. 7) That thereafter, I, on various occasions, requested accused Nos. 1, 2, 4, and 5 to return my hard-earned money, but the said accused persons



kept prevaricating every time. Upon the applicant's repeated requests, on 21-10-2024, accused No. 1, Jaswant Singh, gave a written undertaking in favour of the applicant regarding the said property, stating that the deed, Deed No. 2024-202/103/4/704 dated 20-09-2024, executed by accused No. 1 in favour of the applicant, is false and fabricated, that accused No. 1 is not the owner of the said property, and that the owner of the said plot is someone else. He undertook that by 20-01-2025, accused No. 1 shall be bound to return Rs. 15,30,000/- to the applicant (including Rs. 30,000/- total expenses incurred for the sale deed). If accused No. 1 fails to return the money, the applicant can take appropriate and legal action against accused No. 1. 8) That about a week before 20-01-2025, the applicant informed accused Nos. 1, 2, 4, 5, and 6 in advance and requested that his hard-earned money be returned on the said date. However, on 20-01-2025, the phone of accused No. 1, Jaswant Singh, was switched off. The very next day, on 21-01-2025, the applicant went to the house of accused No. 2, where the other accused Nos. 2, 4, 5, and 6 were all gathered. They asked the applicant for more time and started prevaricating about returning the money. The applicant flatly refused to accept the said demand and stated that he was in dire need of his money. Then, the said accused Nos. 2, 4, 5, and 6 assured the applicant that they would, on their own responsibility, get the money from accused No. 1 by 08-02-2025 and started requesting another agreement to be made until 08-02-2025. However, to put the said agreement in writing, accused No. 1 deliberately did not come Ludhiana. To date, the said accused Nos. 1, 2, 4, 5, and 6 are still prevaricating in returning the money from the fraud committed against the applicant. On the contrary, the said accused threaten the applicant, claiming to have connections with high-ranking officials and political representatives, saying that they will get the applicant and his family falsely implicated in cases and will forcibly take possession of the said plot without returning any money to the applicant. Therefore, it is requested that, in view of the above facts, appropriate and legal action be initiated against the said accused persons for showing the applicant a plot belonging to another person, getting a sale deed executed, committing fraud for money, and now prevaricating when the applicant demands his hard-earned money, all in collusion with the Sub-Registrar, Ludhiana (South) and several other officials of the said department, and that justice be delivered by ensuring the return of the applicant's hard-earned money. With thanks. Sd/- Applicant Manpreet Singh son of Harjit Singh, resident of House No. 2193, Main Market, Abdullapur Basti, Ludhiana, Phone No. 98784-55272. The inquiry into the said application was conducted by Shri Ramandeep Singh Bhullar, PPS, Additional Deputy Commissioner of Police, Operations, Ludhiana, who, after inquiry, wrote in his inquiry report that the respondent party, Jaswant Singh son of Gajjan Singh, resident of House No. 2185, Guru Nanak Colony, Village Gill, Ludhiana, in collusion with dealer Balwinder Singh, with a fraudulent intention, obtained a sum of Rs. 15 lakhs for a property measuring 150 square yards, situated at Village Gill-2, Abadi Guru Teg Bahadur Nagar, Tehsil and District Ludhiana, of which he was not the owner, and executed a full and final agreement in favour of the applicant Manpreet Singh. Subsequently, despite agreeing to return the money, his failure to do so constitutes criminal breach of trust and cheating. The role of the witnesses to the agreement, Surjit Singh son of Buta Singh, Jagir Singh son of Makhan Singh, and Jagtar Singh son of Gurdev Singh, needs to be considered during the investigation. If approved, appropriate orders may please be issued for the registration of a case under sections 406, 420, 120-B of the Indian Penal Code against the respondent party, Jaswant Singh son of Gajjan Singh, resident of House No. 2185, Guru Nanak Colony, Village Gill, Ludhiana, and Balwinder Singh alias Sonu son of Satnam Singh, resident of House No. 02, Ward No. 61, Shaheed Bhagat Singh Nagar, Dugri, Ludhiana, at Police Station Dugri, Ludhiana, and for the Station House Officer, Police Station Dugri, Ludhiana, to proceed with the investigation. Verified: (Ramandeep Singh Bhullar, PPS) Additional Deputy Commissioner of Police, Operations, Ludhiana. The above report was sent for the consideration of the Hon'ble Commissioner of Police, Ludhiana, upon which the Hon'ble Commissioner of Police, Ludhiana, wrote "Approved". Sd/- CP Ludhiana. Today, upon receipt of the said application at the police station, the aforesaid case under the aforesaid sections has been registered against Jaswant Singh son of Gajjan Singh, resident of House No. 2185, Guru Nanak Colony, Village Gill, Ludhiana, and Balwinder Singh alias Sonu son of Satnam Singh, resident of House No. 02, Ward No. 61, Shaheed Bhagat Singh Nagar, Dugri, Ludhiana. As the date of occurrence related to the subject of the application is 15-08-2024, the case is being registered under sections 316(2), 318(4), 61(2) of the new law, Bharatiya Nyaya Sanhita (BNS) Act, 2023. The case file, along with a copy of the FIR, by order of the SHO, has been entrusted to HC Amandeep Singh No. 3595/Ludhiana for investigation. Information was given to the Control Room via telephone. Closing DDR No. 36 AT: 21:01 hours."



3. Learned counsel for the petitioner has argued that the petitioner is in custody since 17.02.2026. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the genesis/background of the FIR in question is a property-related dispute. Learned counsel has further submitted that, upon culmination of investigation qua the petitioner, the challan has already been presented. Learned counsel has further iterated that the petitioner is a man aged about 44 years with no criminal antecedents and is the sole breadwinner of his family. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 18.05.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case. Before delving into the matter in hand, it would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh AIR 1978 SUPREME COURT 429***, relevant whereof reads as under:

“10. The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom- by refusal



of bail is not for punitive purpose but for the bi-focal interests of justice-to the individual involved and society affected.

11. *We must weigh the contrary factors to answer the test of reasonableness, subject to the need for securing the presence, of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be close to ours, the function of bail is limited, 'community roots' of the, applicant are stressed and, after the Vera Foundation's Manhattan Bail Project, monetary suretyship is losing ground. The considerable public expense in keeping in custody where no danger of disappearance or disturbance can arise, is not a negligible consideration. Equally important is the deplorable condition, verging on. the inhuman, of our sub-jails, that the unrewarding cruelty and expensive custody of avoidable incarceration makes refusal of bail unreasonable and a Policy favouring release justly sensible.*

12. *A few other weighty factors deserve reference. All deprivation of liberty is validated by social defence and individual correction along an anti-criminal direction. Public justice is central to the whole scheme of bail law. Fleeing justice must be forbidden but punitive harshness should be minimised. Restorative devices to redeem the man, even, through community service, meditative drill, study classes or other resources should be innovated, and playing foul with public peace by tampering with evidence, intimidating witnesses or committing offence while on judicially sanctioned 'free enterprise,' should be provided against. No seeker of justice shall play confidence tricks on the court or community. Thus, conditions may be hung around bail orders, not to cripple but to protect. Such is the holistic jurisdiction and humanistic orientation invoked by the judicial discretion correlated to the values of our constitution."*

5.1. Further, the Hon'ble Supreme Court in a judgment titled as ***Gurcharan Singh vs. State (UT of Delhi) 1978 (1) SCC 118***, has held as under:-

*"Where the granting of bail lies within the discretion of the **court**, the granting or denial is regulated, to a large extent, by the facts and circumstances of each particular case. Since the object of the detention or imprisonment of the accused is to secure his appearance and*



submission to the jurisdiction and the judgment of the court, the primary inquiry is whether a recognizance or bond would effect that end.”

5.2. Furthermore, the Hon’ble Supreme Court in a judgment tiled as ***Sanjay Chandra vs. CBI (2012) 1 SCC 40***, has held as under:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some un-convicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, “necessity” is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances.”

6. The petitioner was arrested on 17.02.2026 wherein after investigation was carried out and challan qua the petitioner stands presented on 01.05.2026. Total 12 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may



prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 18.05.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 02 months and 29 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the

petitioner.

9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of
opinion on the merits of the case.

19.05.2026

jatin

(SUMEET GOEL)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No