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

CRM-M-31311-2026 (O&M)

Date of decision: 27.05.2026

Jaspal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ishan Gupta, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') (Section 438 of Cr.P.C.), the petitioner is seeking anticipatory bail in the case bearing FIR No.127 dated 20.07.2025 under Sections 406, 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Machhiwara, District Ludhiana.

2. The allegations qua the petitioner are that he along with co-accused Jugraj Singh defrauded the complainant i.e. a 75 year old widow. The petitioner

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impersonated as a NHAI official and in active connivance with co-accused Jugraj Singh, lured the complainant into selling her property by stating that a bypass would be built nearby and accordingly property would be acquired by the government and being influential persons, they could get her property acquired by the government in the said plan. It was also represented to the complainant that she would get Rs.4 to 5 crores as award upon acquisition of her property. Petitioner along with co-accused together received a sum of Rs.40 lakhs from the complainant and thereafter, on pretext of filling up a form at the Tehsildar's office, got a Power of Attorney prepared in favour of co-accused Jugraj Singh. On the basis of the fake Power of Attorney, they sold the property of the complainant to third persons. The accused persons even handed over bogus cheques to the complainant and failed to transfer any of the sale proceeds to the complainant. Hence the present FIR was registered.

3. Learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner on the following grounds: -

- (i) Petitioner has been involved in the present FIR only on the basis of disclosure statement of co-accused Jugraj Singh;
- (ii) Allegation qua the petitioner pertains to impersonation, but relevant Sections of impersonation have not been incorporated in the abovementioned FIR; and
- (iii) Co-accused Jugraj Singh, who introduced the petitioner with the complainant, has already been granted the concession of *ad interim*

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relief by this Court vide order dated 09.01.2026 passed in CRM-M-210-2026.

4. On the other hand, learned State counsel has vehemently opposed the prayer of the petitioner on the following grounds: -

- (i) Petitioner has actively participated in the commission of offence and cheated the complainant by hatching a conspiracy;
- (ii) Petitioner impersonated as an official of NHAI to win over the confidence of the complainant, and misrepresented that near her property, a bypass was being constructed and could get her property acquired by the government in the said plan;
- (iii) The petitioner accompanied the main accused Jugraj Singh to Tehsil Office, where the Power of Attorney was got executed from the complainant in favour of co-accused Jugraj Singh on the pretext of signing of some documents regarding acquisition of land;
- (iv) Co-accused Jugraj Singh also made a disclosure statement regarding complicity of the petitioner and that petitioner received a sum of Rs.55.00 lakhs out of the proceeds of the crime; and
- (v) Custodial interrogation of the petitioner is necessary to recover the amount and collect the evidence to conduct proper investigation and unearth the entire conspiracy.

5. Heard.

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6. Keeping in view the facts and circumstances of the present case, this Court finds no merit in the present petition for grant of concession of anticipatory bail to the petitioner on the following grounds: -

- (a) There are serious allegations qua the petitioner that he duped the complainant, a 75 year old widowed lady, on the pretext of acquisition of her land by NHAI;
- (b) Petitioner impersonated himself as NHAI official and on the pretext of signing of some documents regarding acquisition of land, he got executed Power of Attorney of the complainant, on the basis of which, her land was sold to some one else. Even sale proceeds thereof were not given to the complainant, rather bogus cheques were handed over to her.
- (c) The interim relief granted to co-accused Jaspal Singh is reproduced as follows:

“Notice of motion.

Ms. Ruchika Sabherwal, Senior DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and seeks time to file the status report.

List again on 11.02.2026.

Till the next date of hearing, no coercive action shall be taken against the petitioner.”

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Parity cannot be claimed by the petitioner from the above order granting interim relief to the co-accused Jaspal Singh, as the same has neither been made absolute till date, nor such interim protection has been given on merits.

- (d) As submitted by learned State counsel, the petitioner has received an amount of Rs.55 lakh out of the proceeds of crime.
- (e) Custodial interrogation of the petitioner is imperative for recovery of the duped amount and also for collection of the evidence.

7. Anticipatory bail is an extraordinary relief, to be granted sparingly, only in exceptional cases deserving of the concession. In the considered opinion of this Court, accordingly, release of the petitioner is in the present case is not warranted considering the peculiar facts of the case.

8. Recently, Hon'ble Apex Court in ***Srikant Upadhyay Vs. State of Bihar, 2024 INSC 202***, has made the following observation with regard to concession of Anticipatory Bail:-

“We have already held that the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule..... While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence.”

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9. Moreover, as the investigation is still on-going, custodial interrogation of the present petitioner is necessary for effecting a proper and in-depth investigation in the case. Hon'ble Apex Court in ***State Represented by the C.B.I. Vs. Anil Sharma, 1997(7) SCC 187***, emphasized the importance of custodial interrogation by holding that useful information and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by anticipatory bail, wherein interrogation may be reduced to a mere ritual.

10. In view of the above discussion, the present petition is dismissed.

11. The pending miscellaneous application(s), if any, also stand(s) disposed of.

27.05.2026
vishnu

[SUBHAS MEHLA]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No