

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

CRM-M-40432-2025
Decided on: 23.03.2026

.....Petitioner

Versus

.....Respondent

Present: Mr. Gautam Dutt, Sr. Advocate with
Mr. Sukhsharan Sra, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG Punjab

SANJAY VASHISTH, J. (ORAL)

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 petitioner, who has been booked in a criminal case arising out of FIR No.72, dated 04.06.2025, under Sections 318 of BNS, 2023, registered at Police Station Doraha, Khanna, District Ludhiana.

2. On 29.07.2025, following order was passed:

“(i) *** *** ***”

(ii) *Learned counsel for the petitioner, inter alia, contends that the complainant, Vishal Prabhakar, along with one Charanjit Kaur, were the joint owners of a property measuring 4840 square yards, and had executed a General Power of Attorney (GPA) dated 19.05.2010 in favour of the petitioner, Prem Singh. On the same date, an agreement to sell was also executed in favour of the petitioner by the aforementioned parties. Relying upon the said GPA, petitioner subsequently executed a sale deed dated 02.02.2011 in favour of one Dilbagh Singh for an area measuring 2140 square yards. Thereafter, petitioner executed another agreement to sell dated 09.11.2022 in favour of Sheetal Garg for an area measuring 2133.66 square yards.*

Thus, the counsel for the petitioner submits that, since the GPA and



agreement to sell dated 19.05.2010, executed by the complainant himself, are not under dispute and pertains to total area of 4840 square yards, it cannot be assumed that petitioner has exceeded the authority vested in him under the said GPA. When the area sold to Dilbagh Singh (2140 square yards) and the area agreed to be sold to Sheetal Garg (2133.66 square yards) are combined, total comes to 4273.66 square yards, which is well within the limits of the authorized area.

(iii) It is further submitted that dispute is essentially of a civil nature, involving questions that are to be resolved on the basis of documentary evidence. Therefore, custodial interrogation of the petitioner would serve no meaningful purpose and is not warranted in the circumstances. Moreover, petitioner is ready to join the investigation and fully cooperate, if he is protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and refers to paragraph No.6 of the order dated 24.07.2025 (Annexure P-8), whereby plea of bail made by the petitioner was rejected.

(vi) Ms. Kanwals Walia, Advocate, puts in appearance on behalf of the complainant, and files her vakalatnama in Court today, which is taken on record.

(vii) Counsel for the complainant submits that, apart from the execution of the aforementioned sale deed dated 02.02.2011 and agreement to sell dated 09.11.2022, petitioner has also entered into agreements with other individuals, as petitioner is habitual in engaging in such fraudulent transactions. In support of this contention, reference is made to FIR No. 42 dated 01.04.2024, registered under Section 420 of the IPC at Police Station Doraha, Ludhiana, wherein petitioner is also an accused. On these grounds, counsel for the complainant opposes grant of bail to the petitioner in the present case. However, she seeks some time to file a detailed reply in the matter.

(viii) Adjourned to 08.09.2025.

(ix) In the meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.

(x) Reply, if any, be filed by the complainant, on or before the next date of hearing.”

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3. The allegations appears to be verified from the documentary evidence i.e. revenue record etc., showing the share holding in the land in question.

4. On the other hand, learned State counsel though opposes the prayer of bail, however, he could not point out any specific evidence or material collected during the investigation.

5. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it, and finds it appropriate to grant the concession of anticipatory bail to the petitioner in the present case.

6. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

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

8. With the directions issued here above, present petition stands disposed of.

23.03.2026

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**(SANJAY VASHISTH)
JUDGE**Whether Speaking/Reasoned:
Whether Reportable:**YES/NO
~~YES~~/NO**