

CRM-M-43766-2025 and
CRM-M-49572-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43766-2025

Sawinder Singh

.....Petitioner

Versus

State of Punjab
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.....Respondent

CRM-M-49572-2025

Malkeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

Decided on: 25.03.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Jasneet Mehra, Advocate for
Mr. L.M. Gulati, Advocate for the petitioner(s)

Mr. Neeraj Madaan, Sr, DAG, Punjab.

Mr. Kushagra Mahajan, Advocate
for the complainant.

SANJAY VASHISTH, J.

1. By way of this common order both the aforementioned petitions are being disposed of.
2. 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 First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
i) Sawinder	0150	03.06.2025	420, 120-B IPC	Islamabad	Police

Singh ii)Malkeet Singh			and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014		Commissioner ate Amritsar
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3. After hearing learned counsel for the petitioner on 12.08.2025, the following was recorded in CRM-M-43766-2025:

- “1. xxxxx
2. Referring to FIR, Mr. L.M. Gulati, Advocate, contends that the allegations of cheating are made only against Malkit Singh, who is none other than son of the present petitioner. In fact, there was a joint business between the complainant-Sajjan Singh, and the petitioner’s son, Malkit Singh, operating under the name “MS Vision Bright Immigration, Kabir Park, Amritsar”. Due to this joint business, a monetary dispute arose, in which the petitioner, who is illiterate and has no involvement, has been unnecessarily implicated as an accused merely because he is the father of the business partner of the complainant.
Counsel also refers to the report dated 10.01.2024, prepared in the office of the Commissioner of Police, Amritsar City, wherein the subject matter before the authority was to examine allegations of fraud in the business deal. Earlier, three attempts for settlement were made by the complainant, and all complaints were withdrawn. This is the fourth attempt, where a fabricated version has been presented, and complainant has succeeded in getting the FIR registered by leveling false allegations, at least against the petitioner. Learned counsel for the petitioner further submits that the petitioner is ready and willing to cooperate with the investigation and shall join the same as and when required. Accordingly, he prays for the grant of anticipatory bail.
3. Notice of motion.
4. On advance notice, Mr. Manjinder Singh Bhullar, DAG, Punjab appears on behalf of respondent/State.
5. Learned State counsel is directed to file status report about hte business deal and the alleged crime in the case includingg the nature of the complaints earlier moved by the complainant-Sajjan Singh.
6. Adjourned to 13.11..2025.
7. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim 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.).
8. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he



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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.
”

4. On 05.09.2025, following order was recorded in CRM-M-49572-2025:

“1. xxx

2. *Learned counsel for the petitioner, inter alia, contends that petitioner and complainant, namely Sajjan Singh, were formerly engaged in a joint business under the name and style of M/s Vision Bright Immigration, situated at Kabir Park, Amritsar. Due to certain misunderstandings, the business could not continue, leading the complainant to lodge several complaints with the office of the Commissioner of Police.*

3. *It is submitted that, as per the reports dated 10.01.2024, 15.02.2024 and 02.02.2024 (Annexures P-2, P-3, and P-4, respectively) prepared by the office of Commissioner of Police, Amritsar City, the inquiry specifically sought to determine veracity of the allegations of fraud in the business dealings.*

4. *Counsel for the petitioner further submits that despite complainant having levelled similar allegations on three previous occasions, no element of fraud was established. However, on the fourth attempt, complainant succeeded in getting an FIR registered against the petitioner. It is argued that since the parties were previously in a business relationship, and there is no direct or cogent evidence, pointing to any act of fraud or cheating committed by the petitioner, the dispute appears to be purely civil in nature, involving rendition of accounts. Moreover, petitioner is ready and willing to join the investigation and fully cooperate with the authorities, provided he is granted protection from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 01.12.2025.*

7. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim 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.).*

8. *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.*



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

5. Continuing his submissions, learned counsel for the petitioner(s) submits that, in compliance with the orders dated 12.08.2025 and 05.09.2025 passed by this Court, petitioners have joined the investigation and has extended full cooperation. She, therefore, prays for confirmation of the interim anticipatory bail orders.

6. Learned State counsel has filed status report by way of affidavit of Jaspal Singgh, PPS, Assistant Commissioner of Police, Central Amrtisar in Court today in (CRM-M-43766-2025). Status report has already been filed in CRM-M-49572-2025. Same are taken on record. Registry is directed to tag the same at appropriate place with the paper-book(s).

7. Learned State counsel, while referring to paragraph Nos. 10 and 11 of the status report filed in CRM-M-43766-2025 and paragraph No. 8 of the status report filed in CRM-M-49572-2025, submits that in pursuance of the directions issued by this Court, petitioner-Sawinder Singh has joined the investigation on 24.10.2025 and petitioner-Malkeet Singh has also joined the investigation. Learned State counsel further submits that despite joining the investigation, custodial interrogation of petitioners is still required in view of his disclosure statement and the fact that the remaining amount involved in the transaction has not yet been recovered, which necessitates further investigation

8. I have heard learned counsel for the parties and perused the paper-book and gone through the status report(s).



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9. The issue as to whether the dispute is of a civil or criminal nature would be a matter for determination before the Investigating Agency or the trial Court, which would require detailed evidence to establish the element of cruelty against the petitioners. Moreover, petitioners have already joined the investigation, ad-interim bail orders dated 12.08.2025 passed in CRM-M-43766-2025 and the order dated 05.09.2025 passed in CRM-M-49572-2025 by this Court are hereby made absolute. Accordingly, present petitions are allowed.

It is made clear that 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.

10. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if they do not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of one week from today, present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioners.

11. Accordingly, petition stands disposed of.

12. A photocopy of this order be placed on the file of another connected case.

**(SANJAY VASHISTH)
JUDGE**

25.03.2026

Rashmi

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