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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57525-2025
Decided on : 11.03.2026

Mukesh Puri and others . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Achin Gupta, Advocate and
Mr. Karan Bansal, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab
assisted by ASI Bhupinder Singh, P.S. Faridkot.

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 petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
(i) Mukesh Puri, aged about 38 years, (ii) Surinder Kumar, aged about 76 years, and (iii) Jagjeet Singh Dhuria, aged about 54 years	244	12.11.2024	329(3), 351(3), 62, 303(2), 324(4), 324(5) of BNS, 2023 [added later on S. 318(4)/61(2) of BNS, 2023 and S. 329(3) 351(3), 62, 303(2), 324(4), 324(5) of BNS, 2023 deleted later on]	City Kotkapur a	Faridkot

2. In the present case, on 14.10.2025, following order was passed
by this Court:-

“2. In the instant case, FIR has been registered by the complainant –
Amarjit Kaur, stating that on 06.06.2023, she had purchased a plot measuring 15
marlas (in total 453 sq. yards), being 3/32 share of land measuring 8 kanals,
comprised in Khewat No. 175/169, Khatauni No. 239, Khasra No. 192//2 (8-0), as



per Agwar Angra, Jamabandi for the year 2019–2020, H.B. No. 129, situated at Kotkapura, from Surender Kumar and others. The length of the purchased plot is 102 ft. and the width is 40 ft.

As per FIR, the complainant had also got possession of the land after execution of the registry, and prior to registration, there was no place of Shaheed Baba Hira Singh at the said purchased land. Subsequently, a tomb of Shaheed Baba Hira Singh was constructed on the said plot with the consent of the residents of village Aulakh, and a room measuring 12 × 13 metres was also built above the tomb, besides a shed of steel sheets for the gathering/crowd to sit under it.

Subsequent to this, on 09.11.2024, at about 11:30 a.m., the tomb established by the complainant was demolished by Dr. Rajinder Kumar Arora, Balwinder Singh alias Babli, Gagandeep Singh Bhau, and 15–20 other unknown persons.

3. *Learned counsel for the petitioners submits that upon moving of a complaint by the complainant before the police, an inquiry was conducted by the Inquiry Officer, i.e., SP (PBI), Sri Muktsar Sahib, wherein it was concluded that the plot in question actually belongs to Dr. Rajinder Kumar Arora, Balwinder Singh alias Babli, and Gagandeep Singh Bhau, and they were the owners of the plot in question. Thus, during the course of inquiry, it was found that the present accused, namely, Mukesh Puri, Surinder Kumar, and Jagjeet Singh (**petitioners herein**), in connivance with each other, had sold the plot in question to Amarjit Kaur, despite the fact that they were not owners in possession of the said plot.*

4. *Learned counsel further argues that, in fact, vide registered sale deeds dated 15.12.2017 (Annexures P-3 and P-4, respectively), the petitioners had purchased the plot and had thereafter sold the same to the complainant – Amarjit Kaur, vide sale deed dated 06.06.2023 (Annexure P-5). He further submits that the area where the plot is situated is jointly owned by several co-sharers, and a suit for partition (Annexure P-6) is pending before the Court of the learned Civil Judge (Sr. Divn.), Faridkot, having been instituted by the co-sharers, namely, Sudarshanjit Kaur and Sushpreet Kaur @ Supreet Kaur, through their attorney, Sh. Rajinder Kumar, by impleading a total of 28 co-sharers as defendants in the said suit. Additionally, learned counsel submits that all three petitioners (family members) are parties/defendants in the said civil suit at Sr. Nos. 6, 19, and 27.*

Learned counsel, thus, contends that there was no power with the Police Department to decide ownership of the property when admittedly, the same is jointly owned by several persons. The action of the police is, therefore, beyond their jurisdiction. It is further submitted that no criminal case could have been registered against the present petitioners, as the dispute is civil in nature, pertaining at the most to possession, and no criminal offence is made out. Learned counsel further submits that the petitioners are ready and willing to join investigation, if protected from arrest.

5. *Notice of motion.*

6. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the*



submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report, if any.

7. *Adjourned to 19.01.2026.*

8. *In the meanwhile, petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their 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.).*

9. *Besides, it is directed that petitioners would hand over their passports to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit their respective affidavits, 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.

10. *In the present case, the respondent – State shall also file a status report, including the affidavit of the concerned SSP, indicating how the inquiry was conducted when primarily, the dispute appears to be civil in nature, the land being in joint possession of several persons. The status report shall also specify under what provision of law the Inquiry Officer, i.e., SP (PBI) concerned, decided the title of the land in favour of Dr. Rajinder Kumar Arora, Balwinder Singh alias Babli, and Gagandeep Singh Bhau.”*

2. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 14.10.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

3. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 16.11.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

Besides, learned State counsel submits that petitioners while joining the investigation submitted an affidavit that they do not possessing



any passport.

4. Heard learned counsel for the parties.

5. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 14.10.2025, passed by this Court is hereby made **absolute**.

However, petitioner 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.

6. Accordingly, petition stands **disposed of**, accordingly.

7. However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 11, 2026

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No