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

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CRM-M-60540-2025 (O&M)

Date of decision: 05.05.2026

Pargat Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Raj Kumar Arya, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Senior DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 0081 dated 18.08.2019, registered under Sections 420, 468, 471 and 120-B of IPC at Police Station Ramdas, District Amritsar.

2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Major Singh alleging therein that he was looking for a job for his unemployed son. Through his relative Jagjit Singh, he came to know that accused Surjit Singh used to arrange jobs for youths. He met Surjit Singh, who assured that he could get the son of the complainant recruited as Inspector in Food and Supply Department and in lieu thereof, he demanded a sum of Rs.11,20,000/-. Accused Surjit Singh along with his friend Sandeep took the complainant to Chandigarh, wherein he was

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introduced with one person, namely Simranjit Singh, who was told to be the Officer on Special Duty (OSD) to the Principal Secretary. All of them, assured to get the son of the complainant employed. The complainant had given a sum of Rs.1 lakh in cash to accused Surjit Singh and another amount of Rs.1 lakh was transferred in the bank account of one Ramandeep Singh on asking of accused Surjit Singh. Accused Surjit Singh and Sandeep had taken the complainant to Chandigarh, wherein they met the present petitioner along with Simranjit Singh, OSD. The petitioner and said Simranjit Singh took the educational certificates and other documents of the son of the complainant and assured to get him recruited soon. However, the son of the complainant was neither provided any job nor the money given by the complainant was returned to him. After registration of the FIR, investigation proceedings were initiated. Accused Simranjit Singh and Sandeep were arrested and subsequently released on bail. Accused Surjit Singh could not be arrested and was declared a proclaimed offender. Thereafter, challan qua accused Simranjit Singh and Sandeep was presented.

3. As revealed from the record, the name of the petitioner was kept in column No. 2 of the challan report filed qua the abovenamed co-accused. During trial, an application under Section 319 of Cr.P.C. was filed by the prosecution, which was dismissed by the learned trial Court, vide order dated 04.11.2022 on the ground that the same was premature as the petitioner had never been declared innocent. It is further revealed that during trial of the abovenamed co-accused, when one witness namely PW-2 Inspector Lovepreet Singh was being examined, his examination was deferred by the learned trial

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Court on the request of public prosecutor to the effect that supplementary challan qua the present petitioner was to be filed. Thereafter, the learned trial Court kept on adjourning the case for filing supplementary challan. After filing of the same on 29.08.2025, apprehending his arrest, the petitioner moved an application for grant of anticipatory bail before the learned trial Court but the same had been dismissed, vide order dated 20.09.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, during the course of investigation, he had been found to be innocent and that is why, he was not arrested and challaned. The application filed by the prosecution under Section 319 of Cr.P.C. had also been dismissed by the learned trial Court, vide order dated 04.11.2022. There was no occasion for the learned trial Court to ask for filing supplementary challan qua him once he had not been summoned as an additional accused. The learned trial Court did not take into consideration this fact and kept on adjourning the case for filing of supplementary challan. It is further argued that no money whatsoever had been handed over to him by the complainant. There is no allegation that he had induced the complainant to part with any money. The ingredients for commission of the subject offences are not at all attracted against him. Even his custodial interrogation is not required since the supplementary challan stands presented. No recovery is to be effected from him. Even then, he is ready to join the investigation, if so required. It is, therefore, urged that the petition deserves to be allowed.

5. Status report and additional status report have been filed. Since it was not clarified either by the learned trial Court on a report sought from it

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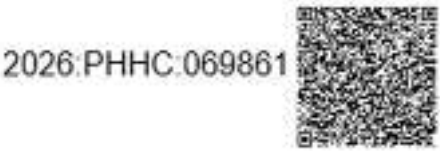


nor by the respondent-State as to whether the supplementary challan had in fact been filed or not, therefore, Mr. Gurwinder Singh, DSP, Sub-Division Ajnala, who had filed the status reports, was called before this Court today. He has reported that supplementary challan has been filed before the Court of learned Judicial Magistrate First Class on 29.08.2025, though it is not reflected from the copies of orders placed on record.

6. Learned State counsel has argued that there are serious allegations against the petitioner. He could not be arrested as he was evading his arrest since long and that is why, his name was kept in column No. 2 of the challan report filed qua the co-accused. Custodial interrogation of the petitioner is required as he was the main kingpin of the crime and had cheated the complainant on the pretext of getting his son recruited in govt. job. There is no exceptional or extraordinary circumstance for grant of anticipatory bail to the petitioner. Hence, it is urged that the petition is liable to be dismissed.

7. This Court has heard the rival submissions.

8. The petitioner, in connivance with the co-accused, is alleged to have duped the complainant of huge amount of money on the premise of arranging a govt. job for his son. As per the allegations in the FIR, he along with co-accused Simranjit Singh had met the complainant and taken educational certificates and other documents of his son. There is no allegation that he had taken any money from the complainant or had made any inducement to the complainant to part with any money. Circumstances of this case are quite peculiar, because without making any effort to join him into investigation and after filing of challan qua the co-accused, the prosecution



had straightaway filed an application under Section 319 of Cr.P.C., which had been dismissed and thereafter, a request had been made by the public prosecutor to grant time for filing supplementary challan qua him without arresting him. The said supplementary challan already stands presented. Given the nature of the allegations and the circumstances peculiar to the case, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required and he has made out a case for grant of anticipatory bail to him. Accordingly, the present petition is allowed. The petitioner is directed to surrender before the learned trial Court within a period of 15 days from today and on his doing so, the learned trial Court shall release him on bail, subject to his furnishing personal/surety bonds to its satisfaction.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

05.05.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>