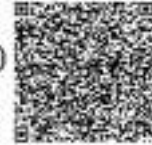


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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-61152-2025

Date of decision: 10th February, 2026

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gagandeep Singh, Advocate for the petitioner.

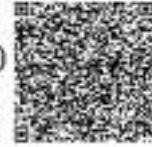
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 174 dated 28.07.2024 registered under Sections 406 and 420 of IPC at Police Station Balongi, SAS Nagar, Mohali.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Gursimran Singh, alleging that the petitioner and co-accused Amritpal Singh, who were running business of sale/purchase of cars, had sold one Fortuner and one Etios make car to him and an amount of Rs. 6,50,000/- and Rs. 4,10,000/- had been taken for the same, respectively. Subsequently, he came to know that these vehicles were actually owned by some other persons and had been fraudulently sold to him

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thereby causing loss of money to him. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail before the learned Additional District and Sessions Judge, SAS Nagar, Mohali, which has been dismissed vide order dated 29.10.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, the complainant was engaged in joint venture of sale/purchase of second hand cars with him and on account of some professional differences and in order to shield himself from possible legal action and to settle personal scores, the complainant falsely implicated him in this case. One FIR bearing No. 31 dated 22.06.2024 at Police Station Morinda, District Ropar, had been registered against the petitioner and the complainant, on the complaint of one Gurvinder Singh with regard to the Fortuner car and to save his skin, the complainant implicated him in this case by making him escape goat. A compromise has been effected in the FIR bearing No. 31 dated 22.06.2024. Custodial interrogation of the petitioner is not required in this case. He is ready to join the investigation. No recovery has been effected from him. It is, therefore, argued that he deserves to be released on pre-arrest bail.

4. Reply has been filed by respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioner as he caused wrongful loss of money to the complainant by selling him two cars which were not owned by the persons who were represented to be the registered owners of the same. His money had not been returned. For

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conducting thorough and proper investigation and for effecting recovery of the money, his custodial interrogation is must. No exceptional and extra ordinary circumstance is made out for granting bail to the petitioner.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to have cheated the complainant by selling two vehicles by concealing the fact that he was not registered owner of the same and by not disclosing the names of registered owners. The custodial interrogation of the petitioner might not be required, however, the well settled proposition of law is that the powers for grant of pre-arrest bail should be exercised by the Court in exceptional or sparing circumstances and not even otherwise. In the instant case, no such extra ordinary or exceptional circumstance is made out for granting bail to the petitioner. As such, this Court finds no reason to allow the petition. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

10th February, 2026
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No