



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

106

CRM-M-65357-2025

Date of decision: 25.03.2026

Rohit Gupta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Ms. Ishma Randhawa, Advocate and
Ms. Akshita Tandon, Advocate for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Anish Kansal, Advocate for the complainant.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, an accused in case bearing FIR No.188 dated 18.07.2025 registered under Sections 318(4), 316(2), 336(2), 338, 336(3), 340(2), 61(2) BNS at Police Station City Rupnagar, District Rupnagar, has prayed for grant of pre-arrest bail.

2. Learned State counsel, on instructions from SI Subhash Chander, submits that petitioner has joined the investigation and is not needed for further investigation.

3. On 13.03.2026, following order was passed by this Court:-

“Petitioner, an accused in case FIR No.188 dated 18.07.2025 registered against him for the commission of offences punishable u/s 318(4), 316(2), 336(2), 338, 336(3), 340(2), 61(2) of BNS, at Police Station City Rupnagar, District Rupnagar, has filed the present petition for grant of anticipatory bail u/s 482 BNS

2. In Brief, Varun Dham (complainant), s/o Krishan Lal Dham, the proprietor of KLV Builders & Developers Pvt. Ltd. (a well reputed Real Estate Firm), set the criminal law in motion by filing a complaint pointing therein that the Company was intending to purchase more land to execute projects in/around Mohali and Ropar. For the said purpose, the Company floated



the requirement in the market. Rohit Gupta (present petitioner), proprietor of Gupta Properties and Luxmikant Sharma, proprietor of Sharma Properties approached the Company with the offer to sell the parcel of land measuring 43 Kanal 02 Marlas situated in Village Bari Marauli, Tehsil Morinda, District Rupnagar. The aforesaid two persons introduced complainant to Jaswant Singh, s/o Jaishi Ram. It was disclosed that though the above land is registered in the name of Sukhdev Singh & Harbhajan Kaur but Jaswant Singh had an agreement to sell in his favour and was also competent to execute further agreement to sell. While the talks were going on, the agreement to sell dated 10.07.2024 executed in favour of Jaswant Singh by the owners - Sukhdev Singh and Harbhajan Kaur, as also documents vide which both Sukhdev Singh and Harbhajan Kaur had extended the time period for execution of the sale deed, were shown. Complainant was also assured that the time period would still be further extended. With a view to cross check the facts, complainant also enquired the matter from Sukhdev Singh and Harbhajan Kaur. Further as per complainant, relying upon the assurances/promises given by Jaswant Singh, Rohit Gupta (petitioner), Luxmikant Sharma, Sukhdev Singh and Harbhajan Kaur, agreement to sell dated 18.12.2024 was executed between KLV Builders & Developers Pvt. Ltd. and Jaswant Singh @ Rs.2, 87,00,000/- per acre, for a total sum of Rs.15,46,21,250/-. In the said agreement, Rohit Gupta (P) and Luxmikant Sharma stood as attesting witnesses.

Complainant further alleges that in all Rs.2,50,00,000/- was paid to the accused persons as earnest money. The sale deed of the land in question was to be executed by Jaswant Singh on or before 03.07.2025. Complainant alleges that though on several occasions, he requested Jaswant Singh and present petitioner to execute the sale deed, as also to inform him (C) about extension of date of agreement, as also whether "No Objection Certificate" had been procured from the owners, but no reply was forthcoming. Later, to his utter shock, present petitioner and other accused stopped responding to the calls and are not traceable. It also came to the notice of complainant that the entire money had been transferred by Jaswant Singh in the account of his wife, namely, Rajinder Kaur. Thus, in nutshell allegation leveled by complainant is that all the accused persons including the present petitioner in conspiracy with each other, committed a systematic fraud on him/Company. Primarily with this backdrop, complainant requested, the police authorities to catch hold of the assailants, as also to initiate criminal proceedings against them.

3. Learned counsel for the petitioner contends that petitioner, a Property Dealer, who had merely introduced complainant to Jaswant Singh, has been falsely implicated in the present case. Allegations of cheating, forgery levelled against him are all frivolous, no financial benefit was ever received by petitioner, even the FIR does not disclose any money trail connecting him



(P) with the commission of offence. He is neither the seller nor the purchaser and has been unnecessarily dragged in the present case only to exert pressure. There being no incriminating material against petitioner that he ever induced complainant to part with his hard-earned money or misrepresented him(c) with an intention to cheat. Being a property dealer, his limited role was confined to initially introducing both the parties. The bona fide on the part of petitioner is apparent from the fact that he has been persistently requesting co-accused Jaswant Singh to contact complainant-Company. Copies of extracts of WhatsApp conversation between petitioner and Jaswant Singh has also been placed on record in support thereof.

Further as per learned counsel, the contents of the FIR when read carefully along with connecting circumstances brought on record, it is quite apparent that dispute is purely civil in nature, arising out of alleged non-performance of contractual obligation. Elaborating further, learned counsel contends that co-accused Jaswant Singh has taken recourse to civil proceedings and has filed a Civil Suit against Sukhdev Singh, Harbhajan Kaur and others, which is still pending adjudication.

Learned counsel next contends that in view of the limited role of the petitioner, whose past antecedents are quite clean, his custodial interrogation is not required, nonetheless, being a law abiding citizen, is ready and willing to join the investigation as and when called for by the Investigating Officer of the case.

4. Per contra, while referring to the Status Report dated 27.11.2025 by way of affidavit of Mr. Rajapl Singh, Deputy Superintendent of Police, Sub-Division, Rupnagar, learned State counsel has opposed the request for grant of pre-arrest bail pointing therein that the allegations levelled against the petitioner are serious in nature. He was the one who had introduced co-accused Jaswant Singh to Company (KLV Builders & Developers Pvt. Ltd.). He was in the know how of the facts that an agreement to sell in favour of Jaswant Singh has not been extended by Sukhdev Singh and Harbhajan Kaur, but still he did not disclose the entire facts to the complainant-Company, which relying totally upon the assurances given by petitioner and other accused spent Rs.2,50,00,000/-. It was prayed that co-accused Jaswant Singh is still at large, the custodial interrogation of petitioner is needed to find out his whereabouts, as also to know who all are involved in this racket and what is their modus operandi etc. Dismissal of the petition has been prayed for.

5. I have heard the learned counsel for the parties and have perused the documents available on record.

6. In view of the submissions advanced by learned counsel for



the petitioner, but without expressing any opinion on the merits of the case, petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

Adjourned to 25.03.2026.”

4. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 13.03.2026 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will neither tamper with the evidence nor will influence the witnesses and nor will leave the country without prior permission of the Court.

5. The petition stands allowed.

(AARADHNA SAWHNEY)
JUDGE

25.03.2026

Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No