

2026:PHHC:006008



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

212

CRM-M-71018-2025 (O&M)
Date of decision: 19.01.2026

Amandeep Singh Chandok

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sarabjit Singh Sidhu, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. S. S. Rangi, Senior Advocate with
Mr. Fateh Sahota, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory
bail to the petitioner in FIR No. 207 dated 04.11.2025, registered under
Sections 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS')
at Police Station Jamalpur, Ludhiana.

2. The aforementioned FIR was registered on the basis of a written
complaint submitted by the complainant Ram Lubhaya alleging therein that he
had purchased two plots, measuring a total of 193 square yards, situated at
village Bamian Kalan through duly executed agreements to sell after making
full payment. The petitioner, who is a property dealer, approached the

2026:PHHC:006008



complainant and induced him on the pretext that the said plots could be sold to one Satish Kumar for a sum of Rs. 18 lakhs. It is further stated that the petitioner allegedly induced the complainant that Satish Kumar would sell a plot measuring 60 square yards to him for a consideration of Rs. 12 lakhs, out of which Rs. 6 lakhs was to be paid in cash. The complainant was induced to enter into an agreement with the said Satish Kumar, who was in fact an impersonator. Under false assurances, the petitioner, along with the impersonated Satish Kumar, induced the complainant to part with the original agreements to sell and other original documents pertaining to the property purchased by him and thereafter sold the property to a third person, thereby causing wrongful loss to the complainant by cheating and defrauding him. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner moved an application for pre-arrest bail, which was dismissed by the Court of the learned Additional Sessions Judge, Ludhiana, vide order dated 17.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He had neither any concern with the properties of the complainant nor had any agreement been executed by him. He was not the owner of any plot or property. In fact, the alleged dispute is between the complainant and Satish Kumar, as named in the FIR, and is purely of a civil nature. The petitioner has been falsely implicated. He had no concern with the plots nor was he competent to sell the same. He never got any deal struck between the complainant and any Satish Kumar. It is further argued that there was no agreement between the petitioner and the complainant which could be legally enforced through a civil suit. Rather, the complainant himself prepared

2026:PHHC:006008



and fabricated the documents. The petitioner has been implicated due to political rivalry, as he is an active member and office bearer of the Indian National Congress Party. The present case has been registered as a counterblast to FIR No. 68 registered at the instance of the wife of the petitioner. The petitioner is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Laearned State counsel, assisted by learned senior counsel for the complainant, has argued that there are serious and specific allegations against the petitioner. An inquiry was conducted after filing of the complaint, which revealed that the petitioner, in connivance with a person impersonating Satish Kumar, entered into a transaction of Rs. 18 lakhs with the complainant under false pretences. Despite a handwritten agreement, whereby the petitioner undertook either to refund a sum of Rs. 18 lakhs or to execute a sale deed of extra land measuring 93 square yards in favour of the complainant, he failed to honour the same. The original documents pertaining to the complainant's property were taken by the petitioner and have not been returned. It is further argued that the petitioner projected control over certain property and, by impersonation and acting through co-accused Satish Kumar, dishonestly obtained the original documents on the pretext of getting the sale deed registered. For conducting a thorough and proper investigation, for recovery of the original documents belonging to the complainant, for ascertaining the whereabouts of Satish Kumar or even determining whether such a person exists and for tracking the money trail and recovery of the cheated amount, custodial interrogation of the petitioner is

2026:PHHC:006008



must. It is, therefore, argued that no exceptional circumstances are made out and the petition does not deserve to be allowed.

5. This Court has heard the learned counsel for the parties.

6. The petitioner, in connivance with an impersonator, is alleged to have induced the complainant to part with original property documents under false pretexts and cheated him of a substantial amount of Rs. 18 lakhs. The allegations levelled against the petitioner make out a prima facie case against him for commission of subject offences. The investigation is at a crucial stage and recovery of original documents, tracing of the impersonator and the money trail necessitate custodial interrogation of the petitioner. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is

2026:PHHC:006008



convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

19.01.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No