



CRM-M-72921-2025

-1-

**122 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-72921-2025**

Date of Decision: 16.03.2026

Navjot Singh Brar

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. A.P.S.Deol, Sr. Advocate with  
Mr. Balbir Singh Sewak, Advocate,  
Mr. Himmat Singh Deol, Advocate and  
Ms. Dilpreet Kaur, Advocate, for the petitioner.  
Mr.Raj Karan Singh, AAG, Punjab.  
Mr. Gurfateh Singh Khosa, Advocate for  
the complainant.

**Rajesh Bhardwaj, J. (ORAL)**

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.181 dated 03.09.2025, registered under Sections 318(4), 316(2), 61(2) and 238 of BNS, 2023, at Police Station Baghapurana, District Moga.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Ashwani Kumar. It was alleged that Kuldeep Singh was complainant's classmate and had introduced his son, Navjot Singh Brar (petitioner), and daughter-in-law, Pritpal Kaur Brar, to the complainant. Subsequently, through them, the complainant sent his son and daughter to Canada, as they were running an IELTS centre. Thereafter, they started a property investment business with the complainant and initially paid him profits in order to gain his trust. Navjot Singh Brar also involved his brother-in-law and his wife in the business and thus, all of them, after due deliberation, took approximately Rs.2.25 crores from the



complainant, his wife and children. Thereafter, on the pretext of settling the complainant and his wife in Canada, the accused allegedly duped them of about 55 tolas of gold and an additional Rs.15 lacs. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 10.09.2025. He approached the Court of learned Additional Sessions Judge, Moga praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.12.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned Senior Counsel for the petitioner that from the allegations made in the FIR, it is apparent that the dispute between both the sides is purely of civil nature. He submits that the transaction of amount of Rs.2.25 crores is not on account of cheating or fraud on the part of the petitioner, however, both the sides had invested the said amount in the property business. He submits that once profit of the complainant reduced, the petitioner alongwith other co-accused have been clandestinely roped in the present case. He submits that the petitioner has been prosecuted by the complainant in a case under Section 138 of the Negotiable Instruments Act, 1881 and the same is pending. He submits that the petitioner is behind the bars from the last about six months. He submits that the investigation is complete and charges have been framed. He has submitted that though is involved in one more case, however, is on bail in the same. He, thus, submits that in the overall facts and circumstances of the



case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that total amount having been cheated by the petitioner is Rs.2.25 crores and the petitioner is facing prosecution in other FIR also. On instructions, he submits that out of total 15 prosecution witnesses, no witness has been examined so far. He has placed on record the custody certificate of the petitioner.

5. Learned counsel for the complainant has also vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner alongwith the co-accused allured the complainant to part with a heavy amount and thereafter, after having been parted with an amount of more than two crores, the complainant found himself to have been cheated by the petitioner and other co-accused. He submits that the petitioner is facing prosecution in two more FIRs.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the dispute between the parties is regarding transaction of amount. Admittedly, proceedings under Section 138 of the Negotiable Instruments Act, 1881, have already been pending against the petitioner at the behest of the complainant. Custody certificate of the petitioner shows that the petitioner has completed incarceration of 06 months & 02 days as on 15.03.2026. Custody certificate of the petitioner shows that the petitioner is involved in one more case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both



CRM-M-72921-2025

-4-

the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**16.03.2026**

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|-----------------------------|--------|
| Whether Speaking/Reasoned : | Yes/No |
| Whether Reportable :        | Yes/No |