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

CRM-M-11496-2025 (O&M)

Date of decision : 27.05.2025

Shingara Singh

..Petitioner

Versus

State of Punjab

..Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Anmol Jeewan Singh Gill, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. N.S. Khokhar, Advocate for
Mr. Saurav Bhatia, Advocate for the *de facto* complainant.

MAHABIR SINGH SINDHU, J.

Present petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the B.N.S.S.')

has been filed for grant of pre-arrest bail to the petitioner in FIR No.0015 dated 28.01.2025, under Section 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Balachour, District Shaheed Bhagat Singh Nagar.

(2) Allegations are that petitioner cheated the *de facto* complainant to the tune of Rs.5,50,000/- on the pretext of selling land.

(3). Learned counsel contends that matter has been amicably settled between the parties i.e. petitioner as well as *de facto* complainant before the Mediator, Mediation and Conciliation Centre of this Court. Further contends that petitioner was granted interim bail by this Court, vide order dated 28.02.2025 and in pursuance thereof, he



has already joined the investigation; hence, his custodial interrogation is not required.

(4) Learned counsel for the *de facto* complainant, on instructions, acknowledged the factum of compromise.

(5) Learned State counsel, on instructions from the quarter concerned, submits that he is not aware about the compromise but he acknowledged that the petitioner has joined the investigation, and submits that as on today, custodial interrogation of the petitioner is not required.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) It transpires that petitioner was granted interim bail by this Court, vide order dated 28.02.2025 and the order reads as under:-

“Contends, inter alia, that it is purely a civil dispute; but till date, no suit for specific performance has been filed on the basis of alleged Agreement to sell dated 24.08.2023.

Notice of motion.

Mr.Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of the respondent-State; seek time to have instructions and/or to file written response in the matter.

Posted for 07.04.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”



(8) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

(9) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner.

(10) Consequently, present petition is allowed; interim order dated 28.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of the BNSS.

(11) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(12) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(13) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

27.05.2025

d.gulati

Whether speaking / reasoned :

Whether Reportable :

(MAHABIR SINGH SINDHU)

JUDGE

Yes

No

Yes

No