



CRM-M-48438-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48438-2024
Date of Decision: 20.03.2025

Simranjeet Singh

...Petitioner

Versus

State (UT Chandigarh)

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Prateek Gupta, Advocate
for the petitioner.

Mr. Manish Bansal, P.P., UT, Chandigarh.

Mr. P.S. Ahluwalia, Advocate
for the complainant.

ANOOP CHITKARA, J.CRM-11079-2025

FIR No.	Dated	Police Station	Sections
60	10.06.2022	West Sector 11, Chandigarh	406, 420, 467, 468, 471, 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 26 of the bail petition, the accused declares that she has no criminal antecedents.

3. The facts and allegations are being taken from status report filed by State counsel, which reads as follows:

“That Respondent No. 7, ie. Simranjeet Singh, had submitted a written complaint through his attorney Davinder Singh s/o Gurdeep Singh to the ADGP, NRI, Punjab (Annexed as Annexure R-1) which was assigned UID No. 2383422 dated 28/06/2022, wherein it was alleged that Respondent No. 7 is the owner of agricultural land situated in Kansal. Further as per the complaint, on 02/09/2011 Randhir Sood (Director/Owner of Parag Infratech Pvt. Ltd) entered into an agreement to sell the aforementioned land with the petitioner. In the above mentioned Agreement to sell (dated 02.09.2011), the stipulated consideration price for the land in



CRM-M-48438-2024

question was agreed upon as Rs 14 crore per acre. Thereupon, the purchaser, Vinod Kumar (Director Kumar Resitor's Pvt. Ltd) transferred a sum of Rs 1.5 crore on 27/02/2012 and an additional sum of Rs 1.70 crore on 30/03/2012 to Respondent No.7's bank account as token money. Further, as per the allegations contained in the complaint, the Respondent No.7 later became aware of a purported transaction involving his aforementioned land with the petitioner. The complainant further mentions that it subsequently come to his attention that the petitioner, along with an individual namely Karan Kumar Singla, hnd allegedly engaged in forging Respondent No. 7's signatures on a counterfeit agreement to sell, dated 10/09/2011. This fraudulent agreement apparently claimed a consideration amount of Rs 5 crore 25 lakh per acre for the aforementioned land."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail.

6. Counsel for the petitioner submits that the matter has been settled between the parties. Counsel for the complainant does not dispute the same. State counsel submits that they are opposing the bail because out of court settlement should not be a ground to grant bail.

7. Given the fact of compromise, pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

8. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.



CRM-M-48438-2024

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. *The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator.* The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

13. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

14. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State shall file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.



CRM-M-48438-2024

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

20.03.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.