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

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**CRM-M-40501-2025 (O&M)
Date of decision : 23.09.2025**

Iqbal Singh @ Iqbal Singh Gill

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. P. S. Ahluwalia, Advocate and
Mr. Siddhart Singh, Advocate
for the complainant.

MANISHA BATRA, J.(Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner
in case bearing FIR No. 10 dated 27.01.2025, registered under Sections 406,
420 read with Section 120-B of IPC at Police Station Dakha, District
Ludhiana.

2. Brief facts of the case relevant for the purpose of disposal of
this petition are that the complainant Rohit Kumar lodged the
aforementioned FIR alleging that the petitioner Manjit Singh and his brother
Iqbal Singh were partners of M/s Kuber Rice Mills. The complainant had
entered into business relationship with them by becoming partner to the
extent of 5% share in the above named firm. The petitioner and his brother

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had committed default in repayment of loan obtained in the name of the firm and in order to safeguard his own business, the complainant had repaid the said loan. He had incurred other expenses of the petitioner and co-accused on their assurance that the amount so spent would be given back to the complainant. The petitioner and his brother were residing in Canada. Instead of settling his account, they rather filed a false and frivolous complaint against the complainant making claim of a sum of Rs. 2,00,00,000/-. A compromise was subsequently effected on 21.07.2023 and the petitioner and co-accused had agreed to pay an amount of Rs. 1,10,00,000/- to the complainant, however, by hatching a conspiracy against the complainant with intention to cheat him, they had absconded to Canada and misused the trust reposed in them. As such, he prayed for taking penal action against them. After registration of FIR, investigation proceedings were initiated. The petitioner along with co-accused moved an application for grant of anticipatory bail and during the pendency of that application, he was arrested from Indira Gandhi International Airport, Delhi as a lookout circular had been issued against him. Investigation qua the petitioner stands completed and challan has been presented before the Court.

3. It is argued by learned senior counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 19.06.2024. The subject offences are triable by the Magistrate. Offences under Sections 406 and 420 of IPC are ante thesis to each other. He does not have any criminal antecedents. No useful purpose would be served by keeping him in custody anymore. In fact, the dispute between the complainant and himself is of civil nature, which has been given a criminal colour. He is ready to

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abide by the terms and conditions to be imposed upon him for grant of bail. It is, therefore, urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

4. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that the petitioner is a flight risk since even after moving application for grant of anticipatory bail, he was trying to flee to Canada. He is a Canadian citizen. There are chances of his absconding and not coming back to India, if released on bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the submissions made by both the sides.

6. The petitioner along with his brother is alleged to have deceived the complainant and caused wrongful loss to the tune of Rs.1.10 crore. Investigation now stands completed. Conclusion of trial would obviously take time. As intimated, the passport of the petitioner is already with the Investigating Officer of this case. The petitioner does not have any criminal antecedents. No doubt, his previous conduct of trying to flee from the country raises some suspicion that he might abscond, however, proper measures can be taken in this regard. It is a matter of evidence to be produced during trial as to whether the ingredients for commission of offences punishable under Section 406 of IPC are attracted or a case for commission of offence of cheating is made out. Keeping in view the period spent by the petitioner in custody, the nature of subject offences, the antecedents of the petitioner and the above discussed facts, this Court is of the considered opinion that a case for release of the petitioner on bail has been made out. Accordingly, the petition is allowed. The petitioner is

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ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

(i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.

(ii) his passport shall remain with the Investigating Officer and he shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) he shall appear before the learned trial Court as and when directed.

(iv) he shall provide his identity proof as well as address where he would be residing after release and shall not change the same without informing the concerned IO/SHO/trial Court.

(v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switch on all times.

7. 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.

23.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

*Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*