

**CRM-M-1268 of 2025**      **1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****208****CRM-M-1268 of 2025****DATE OF DECISION :- 24.02.2025****Sandeep****...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU****Present:-** Mr. Ravinder Phogat, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana assisted by ASI Amit.

Mr. Neeraj Yadav, Advocate for the complainant.

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.216 dated 27.12.2024, under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Bond Kalan, District Charkhi Dadri.

(2) Allegations are that the petitioner prepared a false and forged agreement to sell of his land situated within the village Acheena, Charkhi Dadri.

(3) Status report by way of affidavit of Sh. Dinesh Yadav, HPS, DSP, Charkhi Dadri is taken on record. Copy thereof supplied to the opposite counsel.

(4) Learned Counsel contends that petitioner was granted interim bail by this Court, vide order dated 14.01.2025 and in pursuance thereof, he has joined the investigation; hence, his custodial interrogation is not required.

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(5) Although the learned State Counsel, acknowledged the factum of joining the investigation, but he opposed the prayer on the premise that contents of agreement to sell dated 12.08.2024 are yet to be verified.

(6) Similarly, learned Counsel for the complainant also vehemently opposed the pre-arrest bail while raising the pleas that signatures of witnesses are yet to be verified.

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

(8) It is not in dispute that petitioner was granted interim bail by this Court, vide order dated 14.01.2025 and the order reads as under:-

*“Contends, inter alia, that civil suit for specific performance on the basis of agreement to sell dated 12.08.2024 is already pending between the parties i.e. petitioner as well as de facto-complainant-Satyaparkash for 15.02.2025.*

*Notice of motion.*

*Mr. Kiran Pal Singh, learned AAG, Haryana accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.*

*At this stage, Mr. Neeraj Yadav, Advocate has appeared and filed his vakalatnama on behalf of complainant, which is taken on record. Registry to tag the same at appropriate place. He seeks time to have instructions in the matter.*

*Posted for 24.02.2025.*

*In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”*

(9) It is acknowledged by learned State counsel that in pursuance the aforesaid order, petitioner joined investigation. It is also acknowledged by both

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sides that suit for specific performance regarding the alleged agreement to sell dated 12.08.2024 is already pending between the parties before Court of competent jurisdiction.

(10)            Thus, factual aspects raised by learned State counsel as well as learned counsel for the complainant shall be gone into by learned civil Court after taking into consideration the evidence to be led by both sides.

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

(12)            Consequently, present petition is allowed; interim order dated 14.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

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

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

(15)            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.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**24.02.2025**

*P.Singhl*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No