



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

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CRM-M-27856-2025

Date of decision: 29th August, 2025**Jagwinder Singh and others****...Petitioners****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Ms. Kawaljit Kaur Dhillon, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.
Mr. Suneet Pal Singh Aulakh, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 59 dated 27.04.2025 registered under Sections 406 and 420 of IPC at Police Station MAchhiwara, District Khanna.

2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Jasvir Singh alleging that he was interested to buy some property and had contacted Avtar Singh, who is a property dealer and who had introduced the complainant with the petitioners-Jagwinder Singh, Lovepreet Singh, and Jaspreet Singh. All of them represented to the complainant that the petitioners were joint owners of land measuring 59 kanals, 09 marlas, situated at Village Udhawal Khurd, Tehsil Samrala, District Ludhiana. They also showed *Jammabandi* of the said land wherein they were shown as owners. On being induced by them,



the complainant entered into an agreement to sell the above mentioned land with the co-accused. The sale consideration amount was fixed to be at the rate of Rs. 33,00,000/- per acre out of which an amount of Rs. 40,00,000/- was given by the complainant as earnest money. The complainant alleged that subsequently he came to know that some part of the property which was agreed to be sold to him was not in the ownership of the petitioners and in the revenue record, it was mentioned as "*Shamlat Deh Hasab Rakba Paimana Hakiat*". The petitioners were found to be owners only to the extent of 06 kanals, 13 marlas of the land agreed to be sold. On coming to know about this fact, the complainant asked the accused either to get the ownership of the above-mentioned property entered in their names or to return the earnest money, but the petitioners and the co-accused resiled from the same. By alleging that he had been cheated by the petitioners and co-accused and that wrongful loss was caused to him, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending their arrest, the petitioners moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Ludhiana, which was dismissed vide order dated 09.05.2025.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. The dispute between the parties is of a civil nature which has been given a criminal colour. The petitioners have always been ready and willing to perform their part of the agreement and it is the complainant, who did not come forward for that purpose. A civil suit has also been filed by them which is pending. The present FIR has been



lodged against them after a gap of eleven months from the date when the sale deed was to be executed and the same is a counter blast to the civil suit filed by the petitioners. Their custodial interrogation is not required. They are ready to join the investigation. A settlement has also been arrived at between them and the complainant and they would be bound by the terms of the same. It is, therefore, urged that they deserve to be given concession of pre-arrest bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab, has argued that keeping in view the gravity of the allegations as levelled against the petitioners, they do not deserve to be released on pre-arrest bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. Learned counsel for the complainant on the other hand has submitted that he has no objection, if the petition is allowed, since a compromise has been arrived at between the parties before the Mediation and Conciliation Centre and as the petitioners undertaken to abide by the terms of the same.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioners along with the co-accused are alleged to have induced the complainant to part with a sum of Rs. 40,00,000/- on the premise of executing an agreement to sell qua some property in favour of the complainant, though as per the allegations they did not own the entire property. The matter had been sent to the Mediation and Conciliation Centre of this Court. A settlement has been arrived at between the parties. The



settlement agreement in original has been tagged with the report of Mediation and Conciliation Centre, as per which, the petitioners have undertaken to pay an amount of Rs. 40,00,000/- to the complainant. Keeping in view the above discussed facts coupled with the fact that the petitioners have undertaken to abide by the terms of the settlement agreement, the petition is allowed, subject to the conditions that the petitioners shall surrender before the Arresting /Investigating Officer within a period of ten days from today and subsequently also as and when required and shall join investigation. In the event of their arrest, the Investigating /Arresting Officer shall release the petitioners on bail on furnishing personal/surety bonds to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482(2) of BNS. Any violation in the terms and conditions of the settlement agreement will entitle the complainant/prosecution to seek cancellation of bail by moving an appropriate application before the learned trial Court.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

10. This order shall come into force from the time it is uploaded on this Court's official webpage.

[MANISHA BATRA]
JUDGE

29th August, 2025

Parveen Sharma

1. Whether speaking/ reasoned

: Yes / No

2. Whether reportable

: Yes / No