



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

101

CRM-M- 38917-2025

Date of decision: 25.07.2025

Prince Mattu @ Prince

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.127 dated 17.11.2024 under Sections 336(2),336(3),337,340(2),318(4),61(2) of BNS, 2023 registered at P.S City Batala, District Gurdaspur.

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner has falsely been embroiled in the present case. He has been named as accused only for having submitted online application by two ladies named Parkash Kaur and Ravinder Kaur from the e-mail ID of Manjit Singh. Neither the documents were uploaded from e-mail of the petitioner nor e-mail of the petitioner was sent regarding these Certificate to anyone. In fact, it was co-accused Manjit Singh, who mentioned e-mail of the petitioner.



Notice of motion.

On behalf of the State

On the asking of the Court, Mr. J.S. Rattu, DAG, Punjab accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail. In compliance of previous order dated 23.07.2025, he has produced a copy of the Certificate showing the plots in unauthorized colony at Ranjit Avenue village Qila Tek Singh, Tehsil Batala, District Gurdaspur. It is stated that the e-mail of the petitioner has been used while forging such Regularisation Certificates and that the Paytm account also belongs to the petitioner as well.

4. **Analysis**

Though compliance of second part of the previous order dated 23.07.2025 has not been adhered to as no information is provided to the Court mentioning how many sale deeds were registered in that colony prior to the issuance of alleged Regularisation Certificate and thereafter as well. Another question which is unfolded during the course of examination of the record is that the alleged Certificate was uploaded by the petitioner himself through his e-mail ID but there is no investigation carried out in that direction by the agency to ascertain and verify the said fact which could have been easily tracked through the Cyber Cell by tracing the I.P address of the Electronic gadget or laptop etc and it could have been found as to who used the e-mail ID and who is the owner of the electronic gadget. Merely alleging against the petitioner or any person without having any cogent material, the custody of the petitioner cannot be required as it is the electronic evidence which could have been collected through the Digital Technology of the law agency in the State. In the light of these facts, it is not appropriate to accede to the request of learned State counsel to deny the relief unless and until concrete material connecting the petitioner with the commission of offence is demonstrated by the State. That apart, the petitioner is stated to be



working as Paytm employee and is not acting as an agent in any manner whatsoever. On a specific query being put, learned State counsel could not state as to whether the factum of petitioner being employee of Paytm has been verified so far. In the light of such shoddy or improper police investigation, the accused cannot be automatically hauled up for custodial interrogation without any justifiable reason.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’



However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

**(SANDEEP MOUDGIL)
JUDGE**

25.07.2025
manoj

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No