



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

208

**CRM-M-59753-2023 (O&M)
Date of decision: 21.07.2025**

Ashok Kumar Mehta @ Ashok Mehta

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. G.K. Mann, Sr. Advocate
with Mr. Anmol Jeevan Singh Gill, Advocate
and Mr. Armandeep Sidhu, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Umesh Aggarwal, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 of Cr.P.C., seeking anticipatory bail in case FIR No.0093 dated 02.05.2023, registered under Sections 420, 467, 468, 471 IPC, at Police Station Civil Lines, District Police Commissionerate, Amritsar.

2. On 05.12.2023, the following order was passed:-

“XX XX XX XX

Learned Senior Counsel for the petitioner urges that petitioner is the brother of the complainant and there was a property dispute inter se the parties. She submits that litigation was instituted before the Civil Court, which was subsequently withdrawn as parties had arrived at a settlement. She has made a reference to agreement,



Annexure P1, affidavit of the complainant, Annexure P2 as well as compromise, Annexure P4/T (at page 54 of the paper-book) to fortify her submission.

Notice of motion.

On asking of the Court, Mr. A.P.S. Tung, DAG, Punjab, accepts notice on behalf of the respondent – State.

Mr. Nirmal Sharma, Advocate for Mr. Sharad Mehra, Advocate has put in appearance on behalf of the complainant.

List on 20.02.2024.

Petitioner is directed to appear before the Investigating Officer on 21.12.2023 at 10:00 A.M. at Police Station Civil Lines, District Police Commissionerate, Amritsar, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned Senior counsel for the petitioner, inter alia, contends that the petitioner and the complainant are real brothers, and a long-standing property dispute exists between them, giving rise to multiple cross-litigations, both civil and criminal, which are presently pending against each other. Despite several attempts, the matter could not be amicably resolved, as the complainant has backed out of the compromise. She further submits that the underlying dispute is essentially civil in nature but the same has been given a criminal colour. Lastly, she submits the petitioner has duly joined the investigation in compliance with the order dated 05.12.2023.



4. Learned counsel for the complainant vehemently opposes the prayer made by the petitioner on the ground that in fact the petitioner has backed out from the compromise, however, he could not controvert the fact that the complainant has been also been granted the concession of anticipatory bail by this Court vide order dated 13.05.2025 passed in CRM-M No.61893 of 2024, pertaining to FIR No.180 dated 19.09.2021, registered under Sections 420 and 120-B IPC at Police Station Division E, District Police Commissionerate, Amritsar.
5. Learned State counsel, on instructions from SI Dilbagh Singh, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
6. In view of the statement of learned State counsel, order dated 05.12.2023 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
7. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.07.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No