



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

Sr.No.234

**CRM-M-16977-2026
Decided on : 06.05.2026**

Kulwant Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Kamal Chaudhary, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana
for the respondent-State.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.284 dated 27.08.2025, registered under Sections 120-B, 406, 419, 420, 467, 468 and 471 IPC, at Police Station Chandhat, District Palwal.

2. Brief facts as per the prosecution case are that the petitioner alongwith co-accused cheated the complainant by executing a forged sale deed with the complainant by impersonation. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against him are false and he has no concern with the said offence. Learned counsel contends that neither the petitioner has been named in the FIR nor any role has been attributed to the petitioner, therefore, he has no concern with the said offence. He submits



that the entire evidence in the present case is documentary in nature. It has been contended that the case is purely of civil nature which has been given criminal colour. Learned counsel contends that there is no direct evidence to connect the petitioner with the said offence. He submits that the co-accused Chintu Singh has already been granted the concession of regular bail by this Court vide order dated 18.04.2026, passed in CRM-M-11435-2026. No recovery is to be effected from the petitioner. The petitioner is in custody since 27.11.2025 and he has clean antecedents. The investigation in the case is complete, challan stands presented; charges have been framed and out of 30 prosecution witnesses, none has been examined till date. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate, which is taken on record. The status report has already been filed. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is the first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 05 months and 09 days; co-accused has already been granted the concession of regular bail by this Court; the investigation in the case is complete, challan stands presented; charges have been framed; out of 30 prosecution witnesses, none has been examined till date and the fact that trial may take a long time to conclude, no useful purpose would be served by



detaining the petitioner in further custody. His further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon’ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

06.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No