

2026:PHHC:087359



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

**CRM-M-33809-2026
DECIDED ON: 12.06.2026**

KRISHAN KUMAR

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mandeep Singh Dhot, Advocate
for the petitioner

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of Bharatiya. Nagarik Suraksha Sanhita, 2023 (Corresponding section 438 of code of criminal procedure code with the prayer to grant anticipatory bail to the petitioner in the event of his arrest in FIR No.0036, DATED 25/04/2026, Registered At Police Station Khanauri, District Sangrur, Under Sections 318(4), 316(2), 61(2) of BNS 2023 (Corresponding sections 420, 406, 406 of IPC 1860) (Annexure P-1).

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case on the basis of an afterthought and concocted version of facts, which amounts to an abuse of the

process of law. It is submitted that the alleged Will dated 07.03.2024 and the subsequent sale deeds dated 19.03.2024 were executed during the lifetime of Smt. Chando Devi, who admittedly remained alive till 25.11.2025 and never raised any objection, complaint, or challenge to the said documents during her lifetime, thereby prima facie reflecting her consent and validation of the said transactions. Learned counsel further submits that the dispute in question essentially pertains to the validity of registered title documents and a Will, which is already the subject matter of a pending civil suit filed by the complainant before the learned Civil Court, Moonak, and the criminal proceedings have been initiated by giving a civil dispute a criminal colour, which is an abuse of the process of law. It is further argued that the learned Court below failed to appreciate that during the inquiry it was found that co-accused Pardeep had been residing with deceased Smt. Chando Devi since his childhood from the age of two years, i.e. since 1983, and was brought up by her as her son; he completed his education while residing with her, and the documentary record, including the ration card and school leaving certificates, supports the said relationship, wherein Smt. Chando Devi was shown as the head of the family. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Satjot Singh Chahal, AAG Punjab, accepts notice on behalf of respondent/State, whereas Mr. Karan Singla, Advocate has put in appearance on behalf of the complainant and filed his memorandum of appearance, which is taken on record.

Learned counsel for the complainant vehemently argues that the alleged Will was purportedly executed on 07.03.2024, whereas it was registered only on 19.03.2024. Therefore, the petitioner has concealed material facts and is attempting to mislead the Court.

3. **Analysis**

After considering the rival submissions and the facts and circumstances of the case, this Court is of the prima facie view that the dispute primarily arises out of the validity of the Will and registered sale deeds, which are already the subject matter of adjudication before the learned Civil Court. The allegations against the petitioner require consideration during trial, therefore, custodial interrogation of the petitioner is not required.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. 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, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

12.06.2026

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No