



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

135

CRM-M-45352-2025
Date of Decision: 22.05.2026

KALA SINGH AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY.

Present: Mr. Tanvir Singh Attariwala, Advocate
for the petitioners.

Mr. M.S. Atwal, DAG, Punjab.

Mr. S.S. Narula, Senior Advocate with
Mr. G.S. Dhillon, Advocate for the
complainant.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking anticipatory bail for the petitioners in FIR No.287 dated 25.07.2025, under Sections 420 and 120-B of IPC registered at Police Station City Kharar, District S.A.S. Nagar Mohali.

2. On 20.08.2025, a Coordinate Bench of this Court had passed the following order:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder: -

Name & age of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District.
(1) kala Singh aged	287	25.07.2025	420, 120-B of IPC	Kharar	SAS Nagar

about 75 years (2) Rajwant Kaur aged about 49 years					Mohali.
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2. On oral request made by counsel for the petitioners, complainant namely Reena Dhillon, wife of Kulwant Singh, Resident of 542, Urban Estate, Sector 13, Kurukshetra, is ordered to be impleaded as respondent No.2 in the present case.
- Let amended memo of parties be placed on record by counsel for the petitioners, in the Registry, within a period of two days from today, without moving any separate application.
3. Learned counsel for the petitioners inter alia contends, that as per the allegations, late Kulwant Singh was voluntarily married to the complainant, namely Reena Dhillon. However, he later performed second marriage with Rajwant Kaur (petitioner No.2), thereby allegedly committing the offence of bigamy. From the second marriage, two daughters were born. Kulwant Singh has since passed away on 04.02.2025, and in support of this, reliance is placed on the death certificate annexed as Annexure P-2.
4. Counsel for the petitioners further refers to a registered Will dated 21.10.2024 (Annexure P-4), executed by Kulwant Singh Dhillon before the Sub Registrar, Kharar, through which he bequeathed all his properties to petitioner No.2 and their daughters. It is, thus, contended that primary dispute raised by the complainant, Reena Dhillon, now pertains to the succession of Kulwant Singh's estate, which stands inherited by petitioner No.2 and her children, in accordance with the Will. Moreover, it is alleged in the FIR that during his lifetime, Kulwant Singh also withdrew an amount of Rs.40 lakhs from the bank account of the complainant, thereby committing the offence of forgery.
5. Allegation against both the petitioners in the FIR is that they were complicit in the alleged misdeeds of the deceased Kulwant Singh, having conspired with him. However, learned counsel for the petitioners submits that the matter essentially pertains to a civil dispute regarding the right of inheritance to the property of Kulwant Singh. It is contended that this civil dispute has been deliberately given a criminal colour with the intent to pressurize the petitioners, and to create leverage in favour of the complainant, who claims to be the first wife and asserts a prior right over the estate of the deceased.
6. It is further submitted that, no criminal offence is made out against the petitioners, and the FIR deserves to be quashed. Additionally, it is argued that sustainability of the allegations depends upon documentary evidence, which can be duly examined during the course of investigation. Petitioners, however, undertake to join the investigation and fully cooperate

with the authorities, provided they are granted protection from arrest. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

7. Notice of motion.

8. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent-State, and Mr. M.S. Saini, Advocate, along with Mr. Gurdeep Singh Sandhu, Advocate, put in appearance on behalf of respondent No.2/complainant.

However, to prevent loss to the State Exchequer, the appearance of the concerned respondent(s) in the subsequent proceedings will only be recognized, if the requisite process fee is deposited by the petitioner(s), within a period of one week from today.

9. Meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

10. Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

11. At this stage, learned counsel for the respective parties are ad idem to state that dispute, in fact, can be resolved before the Mediation and Conciliation Centre of this Court.

12. Let petitioners as well as respondent No.2/complainant Reena Dhillon, are directed to appear before the Mediation and Conciliation Centre of this Court on 05.09.2025, for resolving the dispute amicably.

13. List again on 18.11.2025, awaiting report.

However, it will be open to learned Mediator to call for any other person who may have an interest in the properties of the deceased Kulwant Singh, if deemed necessary for effective mediation.”

3. Learned counsel submits that in pursuance of the aforementioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case, the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

4. Learned State counsel, on instructions from, affirms the factum

of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners is allowed and the order dated 20.08.2025 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C. (now 482(2) of BNSS, 2023)

6. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

(AMAN CHAUDHARY)
JUDGE

MAY 22, 2026.

Rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No