



CRM-M-58481-2025 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108-2

CRM-M-58481-2025
DECIDED ON: 23.02.2026

RAJ KUMAR ALIAS RAJ KUMAR SINGHPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Shahid Anwar, Advocate, for the petitioner.
Mr. Neeraj Madaan, Sr. DAG, Punjab.
Mr. Sunny Kumar Singla, Advocate, for the complainant.

SANJAY VASHISTH, J (ORAL)

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 petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Raj Kumar alias Raj Kumar Singh, aged about 25 years	129	30.08.2025	419, 420, 465, 467, 468, 471 and 120-B of IPC	Sadar Ahmedgarh	Malerkotla

2. On 16.10.2025, following order was passed by this Court:-

“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 petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-



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2.

Allegation in the FIR is that there was a person in the name of Tara Chand and after his death, land measuring 07 bighas of agricultural, one residential house/kothi measuring about 05 biswas, and 01 bigha of commercial property on the Ludhiana-Malerkotla main road, inherited by the complainant – Daljit Singh, his mother – Smt. Mukhtiar Kaur and his sister – Kulwinder Kaur. Mother of the complainant – Smt. Mukhtiar Kaur, expired on 14.02.2023, and thereafter, one GPA on behalf of her on 12.03.2024 was made, and further on the basis of which, sold the land in question to one Bhajan Singh through a sale-deed.
3.

Allegation against the petitioner is that he is the attesting witness, who identified the impersonator, who appeared in place of complainant – Daljit Singh, but complainant was residing abroad.
4.

Counsel for the petitioner argues that co-accused Jaswinder Singh, who being Lumberdar has attested the General Power of Attorney, has already been granted protection from arrest by this Court, vide order dated 14.10.2025, passed in CRM-M-57801-2025 and the said petition is now fixed for 16.12.2025.
5.

Counsel for the petitioner further submits that role attributed to the petitioner is lesser in degree as compared to that of co-accused Jaswinder Singh, being attesting witness to the sale deed dated 22.04.2024. It is pointed out that the document alleged to have been forged, i.e. the General Power of Attorney (GPA), was executed prior to the sale deed, specifically on 12.03.2024. Therefore, it cannot be presumed that petitioner had any knowledge or he was in collusion with the co-accused, at the time of execution of the forged GPA dated 12.03.2024.
6.

It is further argued that, in the absence of any specific motive attributed to the petitioner to cheat the complainant party, no offence can be said to have been made out against him. Moreover, the allegations are primarily based on documentary evidence, which can be objectively verified during the



course of investigation. As such, custodial interrogation of the petitioner is not warranted. It is also submitted that petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant 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 seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report highlighting therein role and antecedents of the petitioner.*

9. *At this stage, Mr. Sherry K. Singla, Advocate, puts in appearance on behalf of the complainant and files his akalatnama in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place on the file.*

10. *Adjourned to 16.12.2025.*

To be heard along with CRM-M-57801-2025.

11. *Till the next date of hearing, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing.”*

3. Learned counsel for the petitioner submits that petitioner's role is, in fact, limited to that of being a witness No.2 to Sale Deed (Vasika) No.1018 dated 10.09.2024, whereby land measuring 1 bigha 10 biswas was transferred in favour of Karamjit Kaur. It is contended that petitioner had no knowledge of the previously executed forged General Power of Attorney dated 12.03.2024.

4. It is further submitted that there was no occasion for the petitioner, at the relevant time, to doubt the validity or execution of the said General Power of Attorney. Therefore, his act of identifying the executant or signing as a witness to the sale deed cannot, by itself, be attributed to any *mala fide* intention or motive to derive unlawful gain. It



is also pointed out that the sale deed in question was not executed in favour of the petitioner.

Further submits that petitioner is ready and willing to join the investigation and to fully cooperate with the Investigating Agency, if he is granted protection from arrest by this Court.

5. On the other hand, learned State counsel has filed comprehensive status report dated 23.02.2026 in the Court today and the same is taken on record.

6. Role attributed to the petitioner and the connecting evidence against him, as reflected in paragraph No.14 of the status report, are reproduced hereunder:—

*“That it is respectfully submitted that, in the backdrop of the detailed factual matrix delineated hereinabove, the role of the **present petitioner-Raj Kumar** son of Daya Singh stands prima facie established from the documentary and circumstantial material collected during inquiry and forming part of the investigation record. **Perusal of the case diary reveals that the petitioner has figured as Witness No. 2 to Sale Deed (Vasika) No. 1018 dated 10.09.2024, whereby land measuring 1 bigha 10 biswas was alienated in favour of Karamjit Kaur, which transaction is demonstrably derivative of the forged private Will dated 17.08.2019 and the fraudulent mutations, including Mutation Nos. 6828 dated 09.01.2024 and 6943, obtained on the strength of fabricated documents and impersonation. It is further borne out that the said sale deed was executed in continuation of the earlier chain of fraudulent transactions orchestrated by principal accused Bhajan Singh and Balwinder Singh alias Bunty, and that the beneficiary of Vasika No. 1018 is closely related to the co-accused, thereby ruling out any bona fide arm's-length transaction. The attestation of the petitioner as a witness to a conveyance founded upon forged antecedent documents, coupled with the established fact that the foundational Will and Powers of Attorney were fabricated and supported by forged Aadhaar cards, fake No Objection Certificates and***



impersonation, constitutes incriminating material evidencing his conscious association in furtherance of the criminal conspiracy punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC. The documentary evidence, including certified copies of the impugned Vasika, revenue mutations, inquiry report No. 239/5P/S.P. Ahd dated 20.08.2025 and the opinion of the Deputy District Attorney dated 26.08.2025, prima facie establishes that the petitioner knowingly associated himself with and facilitated the execution and registration of a tainted transaction, thereby lending credence to the prosecution version. The precise extent of his mens rea and participation is subject to further investigation, however, at this stage, the material on record unmistakably discloses his active nexus with the chain of fraudulent alienations, disentitling him from any equitable indulgence. That the petitioner's attestation of a transaction founded upon forged antecedent documents, his close association with the principal accused, and the surrounding circumstances including derivative mutation entries constitute prima facie material on record indicating that he was not a mere witness but had prior knowledge of the forgery, which aspect necessitates custodial interrogation for complete and effective investigation.”

7. In view of the submissions advanced by learned counsel for the petitioner and the stand reflected in the status report that petitioner is merely a marginal witness No.2 to Sale Deed (Vasika) No.1018 dated 10.09.2024, this Court does not find any substantial reason to subject the petitioner to custodial interrogation. Accordingly, his plea for anticipatory bail is accepted, and **present petition stands allowed.**

8. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by



all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

9. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

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

10. With the directions as recorded here above, present petition stands disposed of.

23.02.2026
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>