



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CRM-M-68866-2025
Decided on : 08.04.2026

Kulwant Singh @ Kaka

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sukhjot Singh, Advocate and
Ms. Arshdeep Kaur, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kulwant Singh @ Kaka	129	17.12.2024	319(2), 318(4), 316(2), 336(2), 338, 336(3), 340(2) of BNS, 2023	Dugri, Hathur	Ludhiana Rural

2. In the case in hand, role of the petitioner is that while executing disputed agreement to sell, petitioner identified one Nirmal Singh, who had actually impersonated to the original owner of the land, after receiving an amount of Rs.15.00 lakhs from the complainant – Harinder Singh.

3. Learned counsel for the petitioner argues that co-accused of the petitioner, namely, Jasmeet Singh and Jagjit Singh, have already been granted concession of regular bails by the coordinate Bench of this Court



vide order dated 27.05.2025 (P-2), passed in CRM-M-28145-2025, titled as, “*Jasmeet Singh v. State of Punjab*” and vide order dated 19.05.2025 (P-3), passed in CRM-M-24703-2025 (O&M), titled as, “*Jagjit Singh v. State of Punjab*”.

It is further submitted that another co-accused, namely, Gurcharan Singh, has also been granted concession of anticipatory bail by the coordinate Bench of this Court vide order dated 31.07.2025 (P-4), passed in CRM-M-26106-2025, titled as, “*Gurcharan Singh v. State of Punjab*”. Apart this, petitioner is inside jail since 27.09.2025, i.e., for a period of about more than 06 months, and the alleged offences are triable by the Court of the learned Magistrate, therefore, petitioner cannot be kept behind bars for an indefinite period.

Thus, in view of the above factual position, and on the ground of parity, learned counsel for the petitioner prays that petitioner be also extended the concession of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate dated 07.04.2021 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

5. Learned State counsel, while opposing the prayer for bail, fairly concedes the factual assertions as noticed in the foregoing paragraphs. He also admits that the petitioner is inside the jail since 27.09.2025 and that out of total 20 cited prosecution witnesses, none has been examined so far.

6. I have heard learned counsel for the parties and perused the



relevant material available on record.

7. At this stage, without commenting upon the merits of the case, it is noticed that the petitioner has been attributed a limited role of identifying the alleged impersonator at the time of execution of the agreement to sell. It is also a matter of record that similarly situated co-accused have already been granted concession of regular bail by Coordinate Benches of this Court, whereas another co-accused has been granted anticipatory bail. Thus, the case of the present petitioner stands on a similar footing and deserves consideration on the ground of parity.

It is further not disputed that the petitioner is inside the jail since 27.09.2025, i.e., for a period of more than 06 months. It is also significant to note that out of total 20 prosecution witnesses, none has been examined so far, which clearly indicates that the trial has not even commenced and is likely to take considerable time to conclude.

8. Keeping in view the principle of parity; the stage of trial; the nature of allegations; and the period of incarceration already undergone, and also without expressing any opinion on the merits of the case, this Court is of the considered view that further detention of the petitioner inside the jail would not serve any useful purpose. Accordingly, this Court deems it a fit case for grant of concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands **disposed of**.

 Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

April 08, 2026
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No