



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

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**CRM-M-26593-2026
Decided on : 11.05.2026**

Jaspal Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Himmat Singh Deol, Advocate and
Ms. Sagarika, Advocate, for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Amandeep Singh Sidhu, Advocate
for the complainant(s).

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
Jaspal Singh, aged 61 years	129	15.06.2024	S. 420, 120-B of IPC (later on added Sections 467, 468, 471 of IPC) [now replaced by Sections 318(4), 61, 338, 336(3), 340(2) of BNS, 2023]	Division No.6	Ludhiana

2. Allegations in the FIR, which was got registered at the instance of complainant – Avtar Singh (real brother of the petitioner), are that the complainant is owner of property bearing No.3606 (Municipal No. UID B022-00581), situated at Street No.4, Gill Road, Chet Singh Nagar, Ludhiana, and that petitioner, along with his wife – Kuldeep Kaur, leased out



the said property to Dada Motors and Radiant Cash Management Service Pvt. Ltd., by projecting themselves to be owners thereof, and received lease amount to the tune of Rs.40.00 lakhs.

Considering the allegations, vide order dated 18.07.2024 (Annexure P-2) both, petitioner and his wife were granted anticipatory bail for offences under Sections 420 and 120-B IPC. Thereafter, the petitioner joined investigation and upon completion thereof, challan also came to be presented. During the course of investigation, the original agreement to sell was handed over to the Investigating Officer and while granting anticipatory bail, the Court of Sessions recorded as under:-

“3. Police record perused. I have heard the rival contentions and have perused the record on file. Admittedly, complainant and applicant no.1/accused Jaspal Singh are brothers and applicant no.2 is the wife of applicant no.1. Further there is no denial of the fact that complainant is the owner of the property which was rented out to Dada motors and to Radiant Cash Management Service private Limited by applicant no.1/accused Jaspal Singh and applicant no.2/accused Kuldeep Kaur respectively. The grouse of complainant is that both the applicants falsely represented themselves as owners of above-said property in the above referred lease deeds and received rental amount from the lessees to the tune of Rs.40 lacs and thus caused wrongful loss to him. However, the contention of applicants/accused is that the entire arrangement was made with the consent of complainant as applicant no.1/accused Jaspal Singh who is brother of complainant was looking after the family and property, while complainant was settled abroad and that applicants had received rent with the consent of complainant. It was also contended that in subsequent lease deed dated 26-08-2023 executed by complainant himself in favour of Dada Motors, he had himself mentioned that earlier lease deed dated 12-12-2019 was signed by his brother i.e. applicant no.1/accused Jaspal Singh as complainant was out of country. But in complaint dated 29-03-2024 moved by complainant against the applicants, false allegations were levelled by



distorting the real facts. The applicant no.1/accused had set up agreement to sell dated 25-11-2022 executed by complainant in his favour which is challenged being forged. Ld. Counsel for complainant has stated at bar that he is ready to hand over the original agreement to sell to the investigating agency for the purpose of investigation. The parties are already in civil dispute and in lease deed dated 26-08-2023 executed by complainant in favour of Dada motors, the factum of execution of lease deed dated 12-12-2019 by applicant no.1/accused Jaspal Singh on his behalf on account of he being abroad has been acknowledged. In view of above discussion and keeping in view the fact that applicants/accused are ready to join and cooperate in investigation, their custodial interrogation would not be required at this stage. Accordingly, applicants/accused are directed to join the investigation by presenting themselves before the Investigating Officer on or before 27-07-2024 and in the event of their arrest, applicants are ordered to be admitted to interim anticipatory bail by the Arresting Officer/Investigating Officer on furnishing bail bonds to the satisfaction of Arresting Officer and subject to compliance of the provisions contained in Section 438(2) Cr.P.C. Now case be put up on 29- 07-2024 for report of Investigating Officer.”

3. After a period of about two years, offences under Sections 467, 468 and 471 IPC came to be added and thereupon, the petitioner again moved a fresh application seeking anticipatory bail. Wife of the petitioner – Kuldeep Kaur, has already been granted the said concession after addition of the aforesaid offences. However, vide order dated 04.04.2026 (pronounced on 01.05.2026) (Annexure P-11), prayer for anticipatory bail made by the petitioner was dismissed primarily, by observing that petitioner had also caused injuries to the complainant and further noticing the addition of serious offences relating to preparation and use of forged valuable documents.

While taking note of the complaint dated 19.01.2025 regarding



a fight between the parties and the injuries allegedly suffered by the complainant, Court of Sessions, i.e., learned Additional Sessions Judge, Ludhiana dismissed the bail application qua the added offences.

4. Learned counsel for the petitioner submits that several disputes and fights had taken place between both the brothers, i.e., the petitioner and the complainant. However, it is argued that the present case is primarily documentary in nature, particularly when the original agreement to sell had already been handed over to the Investigating Officer in the year 2024 itself, and thereafter, anticipatory bail had been granted to the petitioner.

It is further argued that any independent incident occurring prior to or subsequent to registration of the FIR should not become a ground either for cancellation of the earlier concession of bail or for denial of anticipatory bail qua the added offences. Thus, learned counsel submits that once the FIR was registered way back on 15.06.2024 and the petitioner had already been granted anticipatory bail therein, mere addition of offences after a long lapse of time should not become a ground to deny the concession of anticipatory bail.

5. On the other hand, learned State counsel appearing on advance notice and assisted by learned counsel for the complainant submits that *qua* the injuries suffered by the complainant, DDR No.24 dated 10.03.2025 stands recorded, though no FIR has been registered till date. Even the surgical opinion is still awaited.

Learned State counsel further submits that as per the FSL report, the signatures in question have been found to be forged and on that basis, offences under Sections 467, 468 and 471 IPC were added against the



petitioner and his wife – Kuldeep Kaur. It is argued that once the FSL report supports the complainant's version and constitutes expert evidence against the petitioner, no case for grant of anticipatory bail is made out. Accordingly, learned State counsel as well as learned counsel for the complainant pray for dismissal of the present petition.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. After hearing learned counsel for the parties at length, this Court does not find any substantial reason to keep the present petition pending, especially when vide order dated 29.07.2024 (Annexure P-2), the petitioner had already been granted anticipatory bail for the offences initially registered under Sections 420 and 120-B IPC. Mere receipt of the FSL report at a belated stage, by itself, cannot become a ground to decline anticipatory bail, unless strong reasons are demonstrated before the Court by the Investigating Agency or learned Public Prosecutor showing necessity of custodial interrogation for collection of further material regarding the added offences.

In view of the above, merely because additional offences have been incorporated after a period of about two years, there appears to be no substantial ground to deny the concession of anticipatory bail to the petitioner.

So far as the dispute and fight between the two brothers, and the injuries allegedly suffered by the complainant are concerned, same appear to be independent incidents arising out of strained relations and monetary disputes between them.



Therefore, keeping in view the facts and circumstances of the case, the nature of allegations, and without expressing any opinion on the merits of the controversy, this Court is of the considered view that the petitioner has made out a case for grant of anticipatory bail.

Accordingly, petitioner is directed to join the investigation for the additional added offence, 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.).

8. 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.

9. With the directions issued here above, **present petition stands disposed of.**

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

(SANJAY VASHISTH)
JUDGE

May 11, 2026

J.Ram

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