



CRM-M-29564 of 2025

-1-

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

308

CRM-M-29564 of 2025
Date of Decision: 09.07.2025

Kuljeet Singh @ Jeet

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Imaan Singh Khara, Advocate
for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

Manisha Batra, J.(Oral)

1. The instant one is the third petition for grant of regular bail as filed by the petitioner in case arising out of FIR No.154 dated 03.08.2018 under Sections 420 and 120-B of the IPC, 1860, registered at Police Station Nathana, District Bathinda.

2. The first petition as filed by the petitioner had been dismissed on merits, vide order dated 31.01.2024 passed in CRM-M-32468-2023 whereas the second petition had been dismissed as withdrawn, vide order dated 05.05.2025 passed by a Coordinate Bench of this Court.

3. Briefly stated the facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of the complaint lodged by the complainant-Gurmeet Singh that he came into contact with the petitioner in Bathinda Courts. The petitioner told the

**CRM-M-29564 of 2025****-2-**

complainant that he was a permanent resident of USA and could make arrangement for taking him to Canada. He also allured the complainant by saying that he could arrange for two years' work permit for the complainant. He offered the complainant to go to Jakarta (Indonesia) from where he would take him to Canada. On being so induced, the complainant secured one month labour visa for Jakarta and reached there on 07.03.2017. The petitioner met him there and sent him along with one Bikram Singh, who took the passport and other important documents and cash amount of Rs.2 lakhs from the complainant. Even his mobile phone was taken by the said Bikram Singh. He was made to talk with the petitioner by Bikram Singh and the latter assured that he would sent him to Canada shortly and also told that his visa was about to be issued. On asking of Bikram Singh, the brother of the petitioner took different amounts of money from the family of the complainant and a total amount of Rs.20 lakhs was received by them. The health of the complainant had deteriorated and he requested Bikram Singh and the petitioner to give his passport and other documents. They gave the same with great difficulty and for sending the complainant back to India, he was made to arrange for another sum of Rs.2 lakhs.

4. As per further allegations, after reaching India, the complainant asked the petitioner about the status of his visa for Canada and progress of his job but then the petitioner started extending threats to the complainant by alleging that the petitioner had duped the complainant of an amount of Rs.20 lakhs and his friend Gurtej Singh had also been duped for a sum of Rs.21 lakhs for the purpose of sending his son-Rashpinder Singh to Canada through Jakarta, he prayed for taking action in the matter.



CRM-M-29564 of 2025

-3-

5. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 18.03.2023. Investigation now stands completed.

6. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is a delay of six months in lodging of the FIR which has not been explained. Challan stands presented. The trial is likely to take time. The extended period of his incarceration is a sufficient ground for extending the benefit of bail to him. The same also amounts to a substantive change in the circumstances. Therefore, it is urged that the petition deserves to be allowed.

7. Per contra, learned State counsel has resisted the prayer made by the petitioner in terms of the status report filed by the respondent-State by arguing that there are serious and specific allegations against the petitioner. Even otherwise, there is no substantive change in the circumstances because the first bail petition of the petitioner had been dismissed on merits on 31.01.2024. The second bail petition was dismissed as withdrawn on 05.05.2025 and this petition has been moved just after 17 days. Therefore, it is urged that the petitioner does not deserve to be extended the benefit of regular bail.

8. I have heard learned counsel for the parties at length and perused the material placed on record.

9. The petitioner is alleged to have cheated not only the complainant but also his friend Rashpinder Singh and huge loss of money is alleged to have been caused to both of them. However so far as the merits are concerned, the previous bail petition of the petitioner had been dismissed



CRM-M-29564 of 2025

-4-

on merits vide order dated 31.01.2024 passed in CRM-M-32468-2023. Thereafter, the second bail petition of the petitioner was dismissed as withdrawn on 05.05.2025 and the present petition was filed on 22.05.2025 just after 17 days. No substantive change in the circumstances ever since the dismissal of the previous bail petition has been pointed or made out from the record.

10. It is well settled proposition of law that when successive bail applications come before the Court, the Court should be very cautious while considering the same. Successive bail applications can be entertained by the Court when some substantial change is established by the accused thereby making him entitled for grant of bail. Reference in this regard can be made to *State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 Supreme Court, 2292*, wherein it was observed so and it was further held that the Court should not pass an order of release of an accused on bail in successive bail application merely establishing some cosmetic change between time gap of two applications. There must be some drastic change during the period between two applications. Reference can also be made to *Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another (2004) 7 SCC 528*, wherein it was observed by Hon'ble Supreme Court that where the offence alleged against an accused is grave, bail cannot be granted only on the ground of long incarceration.

11. After hearing the contentions as raised by learned counsel for the petitioner, I am of the considered opinion that no substantial or drastic change from the date of dismissal of the previous petition as moved by the petitioner has been pointed or made out from the pleas taken by the petitioner. Merely the extended/prolonged period of incarceration is not a

**CRM-M-29564 of 2025****-5-**

ground to extend any such benefit. There are serious and specific allegations against the petitioner. The trial is also going on at a good pace and there is nothing to show that there would be any undue delay in conclusion of the same. Moreover, the trial is stated to be at the fag end.

12. Keeping in view the nature and gravity of the offence, in my considered opinion, it is not a fit case to enlarge the petitioner on bail, especially in view of the fact that no drastic or material change in the circumstances has been made out. In view of the discussion as made above, but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

09.07.2025
D.Bansal

(MANISHA BATRA)
JUDGE

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