

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 10194 of 2016

Date of decision: 11.5.2016

Paramjit Kaur

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. AS Rai, Advocate.
Ms.Simsi Dhir, DAG, Punjab
Mr. GS Kaura, Advocate.

M.M.S.BEDI,J.

This order will dispose of two petitions, one filed by Paramjit Kaur (CRM M 10194 of 2016) and the second filed by her son Kulwinder Singh (CRM 9281 of 2016), in a case registered at the instance of Apanjit Kaur, alleging that they were four sisters, out of which Avtar Kaur was unmarried. She used to take care of her father Ujjagar Singh , who suffered a decree in favour of Avtar Kaur. After the death of Ujjagar Singh, petitioner Paramjit Kaur filed a suit to get a share in the property but later on she had withdrawn the said suit and also committed the murder of Avtar Kaur, as a result of which a case was registered against Paramjit Kaur. After conviction, she has been granted the concession of suspension of sentence. Mutation of 11 acres of land was sanctioned in favour of Apanjit Kaur and another sister Rupinder Kaur but since it was in possession of Paramjit Kaur and her son,a suit for possession and title, is stated to be pending before the civil court. The allegation against Paramjit Kaur is that

she got transferred the house of her father in her name on the basis of forged Will and transferred the same in favour of her son Kulwinder Singh. Kulwinder Singh appears to have further sold the same to Tejinder Kaur. At present the property appears to be in possession of Baljinder Kaur.

Counsel for the petitioner has argued that the petitioners have been involved in the present case on account of of property dispute, which is yet to be settled by the civil court.

I have heard counsel for the parties and gone through the police file. On the instructions of ASI Vasdev Singh, it has been informed that the investigation is still under progress and the documents, which are important part of the investigation, have not yet been recovered.

Taking into consideration the totality of the circumstances, I am of the considered opinion that there are serious allegations against Paramjit Kaur of having not only made an attempt to grab the property but with an intention to grab the property she has allegedly committed the murder of her real sister. In view of the antecedents of Paramjit Kaur, it will not be appropriate to grant the concession of pre-arrest bail to her. Petition filed by Paramjit Kaur i.e. **CRM M 10194 of 2016 is dismissed.**

So far as petitioner Kulwinder Singh (CRM M 9281 of 2016) is concerned, he has derived the right from his mother Paramjit Kaur, who has acquired title in the manner, mentioned herein above. His role has also not been fair so far as the property is concerned but since he has joined the investigation and is not directly attributed any role of perjury and cheating or preparation of false documents, he can be granted the concession of pre-arrest bail.

Accordingly, the petition of Kulwinder Singh (CRM M 9281 of

2016) **is allowed.** It is ordered that in case of his arrest, he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. He will also not threaten the witnesses. In case of any such eventuality, it will be open to the complainant to approach this court for cancellation of bail.

May 11 ,2016
TSM

(M.M.S.BEDI)
JUDGE