

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27331 of 2018

Arising Out of PS. Case No.-177 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Harjeet Kaur, W/o- Late Ekwai Singh, R/o- H.No. 25, Sector 337, P.S.-
Section 34, District- Chandigarh, Punjab.

... .. Petitioner

Versus

1. The State of Bihar.
2. Jashbir Singh, S/o- Late Sardar Harbhajan Singh, R/o- Vill.- 606, Santosha
Complex, Bandar Bagicha, P.S.- Kotwali, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjana Parihar
For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-05-2018 Heard learned counsels for the petitioner, complainant and
State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 467, 406, 471, 468, 120B, 341, 323 and 504 of the IPC.

The prosecution case as per the complainant, Jashbir Singh is to the effect that the petitioner executed sale deed, with regard to the property purchased by the father and grand-father of the complainant, in favour of Sardar Manohar Singh on the basis of a forged partition deed dated 31.08.1999 and 21.01.2000 and on the basis of forged power of attorney



executed by the sons of the petitioner, namely, Taranjeet Singh Sachdeva and Punit Pal Sachdeva.

It is submitted by learned counsel for the petitioner that the sale deed was executed on 24.01.2011, whereas the present complaint was filed on 01.03.2016. Though, the complainant filed Partition Suit No. 199 of 2011 on 17.06.2011 wherein initially intervention petition was allowed by the learned Court below against the purchaser, but the said order was set aside by the High Court. The petitioner had executed the sale deed with regard to her share of property or the share of her sons by virtue of power of attorney.

It is submitted by learned counsel for the complainant that the complainant has challenged the alleged sale deed through a suit, however, number of the said suit has not been brought on record. It is further submitted that the sale deed has been executed on the basis of forged partition deed and forged power of attorney, hence, the petitioner has, *prima facie*, committed forgery and hence, she does not deserve anticipatory bail.

Considering the rival submissions of the parties, keeping in view the fact that accusation has arisen out of civil nature of dispute, coupled with statement made in paragraph



no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-II, Patna City in connection with Complaint Case No. 177 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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