

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

**CRM-M No.38482 of 2018
Date of decision : 05.09.2018**

Ranjit Kaur

.....Petitioner

Versus

State of Punjab

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Liaqat Ali, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Ranjit Kaur has approached this Court by way of present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to her in case FIR No.383 dated 08.11.2017 under Sections 419/420/465/ 467/468/471/ 120-B of the Indian Penal Code, 1860 registered at Police Station City Jagraon, Distt. Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas she was not involved. The petitioner is bona fide purchaser of the property vide registered sale deed executed by Daljit Singh in her favour. The papers for execution of sale deed were purchased on 07.01.2004 and it was drafted on 08.01.2004 but it was got registered on 04.08.2004. Learned counsel also submits that at the most it can be a case of civil dispute and no criminal offence is made out. The petitioner is ready to join the investigation. Nothing is to be recovered from her.

Heard arguments of learned counsel for the petitioner as well as learned State counsel. I have also perused the contents of the FIR and other documents on the file.

In the present case, the FIR was registered at the instance of complainant Tarsem Singh. As per the allegations in the FIR, the father of the complainant namely Balwant Singh and uncle Sant Singh and Mukhtiar Singh were having joint ownership of land bearing Khata No.520-608, comprised in Khasra No.166 (27 Kanal 10 Marla) as per Jamabandi for the year 1994-95 situated in Agwarh Ladhai Raikot Road, Jagraon, Distt. Ludhiana. They were also having some other property in said village. The father of the complainant as well as his brothers were residing in Mumbai for the last more than 50 years. The uncle of the complainant namely Sant Singh died on 06.05.2004 while residing in Mumbai. After his death, his aunt Mohinder Kaur and Kuldeep Singh, Gurbachan Singh, Ranjit Singh and Kamaljit Kaur *i.e.* children of Sant Singh became legal heirs. Father of the complainant also died on 26.01.1983. After death of father of the complainant, he along with his brother Tarlochan Singh and Kartar Singh and nephew (Bhanja) Gurdeep Singh and niece Manpreet Kaur and Gurpeet Kaur became legal heirs to the estate of Balwant Singh. Daljit Singh prepared the forged and fabricated Will of their deceased grandmother Sant Kaur and filed case in the Court at Jagraon regarding her estate. During pendency of the case, the complainant came to know that accused Daljit Singh had executed sale deed of land of Sant Singh in favour of his wife *i.e.* the present petitioner namely Ranjit Kaur on the basis of one alleged power

of attorney executed by deceased Sant Singh. It was found that address given by the accused was incorrect. It was found in the inquiry that power of attorney was executed by accused by showing his brother-in-law Tarlochan Singh to be Sant Singh. Meaning thereby, the power of attorney was got executed by way of impersonation with an intention to cheat and defraud the legal heirs of Sant Singh. Thereafter, the property was transferred on the basis of said power of attorney vide different sale deeds in favour of the petitioner and, thereafter, the land was sold to different persons. It is also the allegation that Balwant Singh the father of the complainant along with his brothers Sant Singh and Mukhtiar Singh purchased the land measuring 6 biswas in village Agwarh Ladhai on 16.08.1959. Daljit Singh got the sale deed translated incorrectly by showing the land to be 1 Kanal 7 Marla and by changing the names of the purchasers by manipulating the translation and by showing the land to be purchased by Bawa Singh, Sant Singh and Mukhtiar Kaur. Even mutation was got sanctioned in their favour on the basis of translated version of the sale deed. The allegations against the petitioner are that the share of Balwant Singh who is father of the complainant has been usurped in a fraudulent manner, which proves that cheating and forgery has been committed. The role of the petitioner is on equal footings with the co-accused as the sale deed has been executed on the basis of forged and fabricated power of attorney in favour of her husband who is co-accused. Meaning thereby, the sale deed has been executed after death of Sant Singh who is known to the petitioner as well as her husband.

By considering the specific role attributed to the petitioner and nature of allegations against her, her custodial interrogation is required and she does not deserve concession of anticipatory bail.

Accordingly, present petition being devoid of any merit is hereby dismissed.

05.09.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No