

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4341-2020 (O&M)
Date of Decision:- 02.12.2021

Paramjit Kaur

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ram Bilas Gupta, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Darshan Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 251, dated 18.12.2019, Police Station Guru Harsahai, District Ferozepur, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC.
2. The FIR in question was lodged at the instance of Prince Kamboj wherein he has levelled allegations against Sajjan Singh, Balvir Kaur, Virsa Singh, Paramjit Kaur, Surmukh Singh, Sukhraj Kaur, Jagjit Singh @ Jagga, Harpinder Singh @ Judge and six unidentified persons including two women. It has been alleged therein that

complainant's father Nek Raj received a telephone call from mobile No.8475006313 of Sajjan Singh, who represented that some land was available for sale at cheap rates. Subsequently, a property dealer namely Virsa Singh also called complainant's father on mobile phone and offered to show the land in question, upon which the complainant's father called them in village Panje Ke Uttarh where Virsa Singh, Surmukh Singh @ Tota Singh and Sajjan Singh came in their car and represented that land measuring 32 acres and 4 kanals, situated in village Rerwan was available for sale. The complainant's father liked the land and agreed to purchase the same. On 7.10.2019, Sajjan Singh, Virsa Singh, accompanied by imposter Sandeep Singh and imposter Gurmit Singh who were impersonating as such, came to their house. Later, the complainant came to know that the person who was impersonating as Sandeep Singh was infact Harpinder Singh @ Judge and the person impersonating as Gurmit Singh was infact Jagjit Singh @ Jagga son of Hari Singh. They were accompanied by unidentified men and a woman. A deal was settled for sale of land @ Rs.6 lacs per acre and an amount of Rs.4 lacs was given as earnest money and an agreement was executed. Subsequently, an amount of Rs.6 lacs was transferred into the account of Sandeep Singh on 19.10.2019. It is further the case of prosecution that another amount of Rs.20 lacs was transferred by way of RTGS transactions in the account of aforesaid Sandeep Singh who was infact impersonating as such. On 22.10.2019, another amount of Rs.20 lacs is stated to have been transferred in the account of imposter Gurmit Singh. It is also

the case of prosecution that subsequently, another amount of Rs.6 lacs was also transferred into the account of imposter Gurmit Singh-accused. It is, thus, the case of prosecution that the land was infact owned by Sandeep Singh, Gurmit Singh and Nirmaljit Kaur whereas the same was sought to be sold by the accused by way of impersonation. The prosecution alleges that the complainant's father had, thus, been duped for an amount of Rs.85 lacs.

3. It is the case of prosecution that on 15.11.2019 an agreement for sale of land was entered into by imposter Gurmeet Singh's wife namely Nirmaljit Kaur who was infact impersonating as Nirmaljit Kaur who was accompanied by Baljit Kaur w/o Jagjit Singh and Paramjit Kaur w/o Virsa Singh and also Balbir Kaur w/o Sajjan Singh along with two unknown women where they all received an amount of Rs.5 lakhs in cash from the complainant's father while another amount of Rs.10 lakhs was got transferred on 18.11.2019 in account No. 50100317187118 through cheque No. 000003 from the account of Parveen Rani, sister of the complainant.
4. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case simply in order to pressurize the entire family particularly the male members of the family who are also named in the said FIR. Learned counsel has submitted that it is highly unlikely that the lady members of the family would be there at the time of execution of agreement although they had no role to play in the same and that the allegations that all these ladies have received

an amount have been levelled simply to rope in a large number of members of the family.

5. On the other hand learned State counsel has submitted that since the petitioner is specifically named in the FIR and there are specific allegations to the effect that at the time of execution of agreement dated 15.11.2019 for sale of land she was present along with co-accused Balbir Kaur, who was impersonating as Nirmaljit Kaur and other women and there are specific allegation to the effect that they all have received an amount of Rs.5 lakhs, no special case for grant of anticipatory bail is made out. It has however, been informed that pursuant to interim directions, the petitioner has since joined investigation and is not required for any custodial interrogation and that she is not involved in any other case.
6. I have considered rival submissions addressed before this Court.
7. It is no doubt correct that the petitioner is specifically named in the FIR wherein general allegations against the wives of several accused have been levelled to the effect that they all were present at the time of execution of the agreement and that they received payment of Rs.5 lakhs which was entrusted to all of them. It remains unexplained as to why the wives of the other accused were present when they otherwise had no role to play and why they were specifically there just to receive the amount. Since an identically situated co-accused namely Sukhraj Kaur has already been granted bail, the petitioner would also be entitled for grant of bail on the grounds of parity. The petitioner, in any case is stated to have joined investigation and is not

required for any custodial interrogation and is not stated to be involved in any other case. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 31.1.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

02.12.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No