

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

Sr.No.212

**CRM-M No.47490 of 2021
Date of Decision: 20.12.2021**

Sharanjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. J.S. Dadwal, Advocate
for the petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab
for the respondent-State.

Mr. R.S. Bajaj, Advocate
for the complainant.

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MEENAKSHI I. MEHTA, J.

Apprehending her arrest in the criminal case pertaining to the FIR bearing No.0063 dated 20.05.2021 registered at Police Station Navi Baradari, District Jalandhar, under Sections 420, 465, 467, 468, 471 and 120-B IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner and her co-accused namely Trilochan Singh, Pritpal Singh and Jatinder Kaur, were the absolute owners of a house located in Gujral Nagar, Jalandhar. They executed a power of attorney in favour of one Radhe Sham and

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subsequently, they entered into an agreement to sell the same in his favour for a sum of Rs.40 lacs. Thereafter, three sale deeds in respect of the said house were executed in favour of three persons including the complainant but a dispute arose between the parties qua the possession over this house, leading to the institution of a civil suit by the vendees wherein the petitioner and her afore-named three co-accused filed the written statement, along-with the above-said agreement, which had been forged by inserting a note in the concluding part of the same, with an intention to cheat the vendees.

Status-report filed on behalf of the respondent-State, by way of the affidavit of Assistant Commissioner of Police, Central, Jalandhar, is already available on the file and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the complainant) in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the dispute between the complainant and the accused persons is purely of civil nature and the litigation in respect thereof is already pending before the competent Civil Court and due to this reason, the petitioner and her co-accused have falsely been got implicated in the afore-said FIR and moreover, the petitioner is a female and she is not involved in any other criminal case of the similar nature and therefore, she deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the petitioner is

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also one of the owners of the house in dispute and she as well as her afore-named co-accused, conspired to cheat the vendees of the said house including the complainant and they forged the above-said agreement to sell and produced the same before the Civil Court and keeping in view the gravity of the offence as committed by the petitioner, this petition be dismissed.

Although a Civil Suit is, admittedly, pending between the parties qua their dispute over the possession of the house in question but the fact remains that three sale deeds have been executed after the execution of the agreement to sell in question and there are specific allegations regarding the said agreement having been forged by the accused party. In these circumstances, the possibility of the requirement of the custodial interrogation of the petitioner to unearth the truth regarding the above-said allegation, cannot be ruled out. Moreover, the petition bearing CRM-M No.22934 of 2021, as preferred by the co-accused of the petitioner named Jatinder Kaur for seeking the same relief, has already been dismissed by this Court vide the order dated 05.08.2021.

Keeping in view the above-discussed facts and circumstances and also the gravity of the offence, as allegedly committed by the petitioner in this case, this Court is of the considered opinion that she (petitioner) does not deserve the relief of anticipatory bail. Resultantly, the petition in hand stands dismissed.

However, it is clarified that nothing contained here-in-before

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shall be construed to be an expression of the opinion of this Court on the merits of the case.

20.12.2021
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(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>