

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

Sr.No.207

**CRM-M No.52791 of 2021 (O&M)
Date of Decision: 07.03.2022**

Amita

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Ramnish Puri, Advocate,
for the petitioner.

Mr. Karanbir Singh, Assistant Advocate General, Punjab
for the respondent-State.

Mr. Veneet Sharma, Advocate
for the complainant.

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MEENAKSHI I. MEHTA, J.

CRM No.8058 of 2022

This application has been moved on behalf of the applicant-petitioner for seeking permission to place Annexures P-12 and P-13 on the record.

Notice in the application.

At the asking of the Court, learned State counsel accepts the notice and he submits that he has no objection in allowing the present application.

Keeping in view the above-said fact as well as the reason as mentioned in this application, the same is allowed and Annexures P-12 and P-13 are taken on the record.

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CRM-M No.52791 of 2021

Apprehending her arrest in the criminal case arising out of the FIR bearing No.253 dated 19.11.2021 registered at Police Station Division-A, Amritsar, under Sections 420, 120-B IPC wherein the offences under Sections 467, 468 and 471 IPC are stated to have been added later-on, 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 present case, are that the father of complainant-Rajiv Khokhar had purchased the property measuring 243 square yards and was in possession of the same. However, he had given one shop, as raised in the said property over an area measuring 33 square yards, to accused Vinay Kumar but he was not paying any rent for the same and then, the said accused, in connivance with the petitioner and her husband, i.e. accused Gokul Chand, prepared a Power of Attorney qua the said shop in favour of accused Gokul Chand who executed a sale deed in favour of his wife, i.e. petitioner, in respect thereof and she further sold the same to one Ranjit Singh for a sum of Rs.28 lacs.

Status-report has already been filed on behalf of the respondent-State, by way of the affidavit of the Assistant Commissioner of Police (East), Amritsar.

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.

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Learned counsel for the petitioner contends that the petitioner has no role to play in the alleged crime and she happens to be a simple home-maker but she has been falsely implicated in this case and therefore, she deserves the relief as prayed for in the present petition.

Per-contra, learned State counsel argues that the petitioner and her co-accused, i.e. her husband, colluded with accused Vinay Kumar to grab the above-said shop and they prepared the said Power of Attorney and on the basis of the same, they fraudulently got the sale deed executed in favour of the petitioner, who further sold the same to Ranjit Singh for a sum of Rs.28 lacs and keeping in view the gravity of the offence committed in this case, this petition be dismissed.

It has specifically been deposed in para No.3 of the status-report that a detailed inquiry was conducted by the Additional Deputy Commissioner of Police, Investigation, Amritsar City, before registering the FIR and during the inquiry, it was revealed that the property over which the said shop exists, was purchased by the father of the complainant and he had given this shop to accused Vinay Kumar, who had prepared the said Power of Attorney qua the same in favour of accused Gokul Chand, i.e. the husband of the petitioner and he (Gokul Chand) fraudulently executed the sale deed in respect of the said shop in favour of the petitioner, who further sold the same to Ranjit Singh for a sum of Rs.28 lacs. In paras No.4 and 7 therein, it has also been mentioned that the petitioner did not join in the investigation despite the issuance of notice under Section 41-A Cr.P.C. to her and rather, she is absconding to

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evade her arrest. However, the possibility of the requirement of the custodial interrogation of the petitioner to unearth the truth regarding the alleged crime and to bring the investigation of the case to a logical end, cannot be ruled out.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, 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.

(MEENAKSHI I. MEHTA)
JUDGE

07.03.2022
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>