

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

CRM-M-197-2023

Date of Decision: January 12, 2023

ANUDEEP KAUR

.....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Rangi , Advocate for the petitioner.
Mr. Amit Shukla, A.A.G., Punjab.
Mr. G.B.S. Dhillon, Advocate for the complainant.

HARKESH MANUJA, J. (ORAL)

By way of present petition prayer has been made for grant of bail pending trial in case of FIR No.319 dated 06.12.2022 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Division No.5, Police Commissionerate, Ludhiana.

As per the allegations levelled in the FIR, one Skoda Laura Car bearing registration No.PB-10-CS-5091 owned by Rajinder Singh, father of the complainant as well as the petitioner was got transferred by the petitioner in the name of her husband namely, Deepak Mehra by forging the documents.

Learned counsel for the petitioner submits that even as per the records the application for transfer of the vehicle in question was made at the instance of Deepak Mehra and as such the forgery, if any, can only be attributed to Deepak Mehra being the beneficiary. Learned counsel further submits that in fact, the present is a dispute between the sisters pertaining to the succession of estate left by their deceased

father. Learned counsel also submits that the petitioner has been behind the bars for the period of more than one month leaving behind her school-going children of the age of 12 years and 7 years, respectively.

On the other hand Mr. Amit Shukla, AAG Punjab, assisted by Mr. G.B.S. Dhillon, learned counsel for the complainant submits that in the present case by forging an affidavit in the name of her deceased father, namely, Rajinder Singh, the car possessed by the petitioner has been transferred in the name of her husband. It has been pointed out that the father, who happened to be the registered owner of the vehicle in question, unfortunately expired on 26.07.2020 whereas, the affidavit in question which has been used for the purpose of transfer of the vehicle was presented before the authorities on 12.03.2021 i.e. much after the death of Rajinder Singh.

I have heard learned counsel for the parties and gone through the record. A perusal of the complaint as well as the documents produced before me show that the vehicle in question was owned by deceased-Rajinder Singh, who unfortunately expired on 26.07.2020, whereas an application for transfer of the said vehicle was made in the name of Deepak Mehra to the authorities in March 2021, and the same infact was transferred in his name only, as such the question of involvement of the petitioner and her role, as alleged by the respondents as regards conspiracy, cheating and forgery requires evidence and shall have to be gone into during trial.

Considering the fact that the petitioner happens to be a young lady of 40 years of age having two small children of 12 years and 07 years, respectively, and the dispute primarily involving the right of succession regarding the property left by their deceased father, in my considered opinion deserves the concession of regular bail.

In view of the above factual position, no useful purpose would be served by keeping the petitioner behind the bars and thus, it would be just and appropriate if the concession of bail pending trial is granted to the petitioner.

Consequently, the petition is allowed and petitioner-Anudeep Kaur, is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

Nothing stated hereinabove shall be construed as an expression of opinion on merits of the case.

12.01.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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

