

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29447-2023
Decided on : 21.07.2023

Paramjit Kaur @ Parmjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Suresh Singla, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. AG, Punjab.

Mr. Deepak Aggarwal, Advocate
for the complainant.

Manjari Nehru Kaul, J.(Oral)

Status report by way of an affidavit of Deputy Superintendent of Police, City-II, Bathinda filed on behalf of respondent-State in Court today, is taken on record subject to all just exceptions.

1. The petitioner is seeking concession of anticipatory bail in case FIR No.109 dated 02.05.2023 under Sections 420, 447, 511 and 120-B IPC registered at Police Station Civil Lines District Bathinda.

2. Learned counsel for the petitioner *inter alia* contends that a false case has been planted upon the petitioner as it is a matter of record that a civil suit already stood filed by the petitioner against the complainant wherein interim stay also had been granted by the Court concerned vide order dated 22.03.2023 (Annexure P-2). Learned counsel submits that the petitioner is

owner of Khasra No.2148/2 and the complainant is owner of adjoining Khasra No.2149/3/5. The actual dispute between the parties was qua the identification of their respective lands and it was the complainant, who was trying to take forcible possession of the suit property. It has thus, been urged that the dispute between the parties was evidently one of civil nature and the FIR in question had come into existence on account of the fact that the complainant was nursing a grudge against the petitioner. It has further been submitted that the petitioner has clean antecedents and nothing is required to be recovered from her. Therefore, she be extended the concession of anticipatory bail.

3. Learned counsel for the State assisted by counsel for the complainant while opposing the prayer and submissions made by counsel opposite submits that the petitioner along with other co-accused are part of a land mafia/racket, which has been usurping properties located in prime locations. Learned State counsel on further instructions has submitted that the land in question was being transferred to different people vide different sale deeds by all the accused including the petitioner, without any sale consideration, exchanging hands. All the accused including the petitioner thereafter applied to the Municipal Corporation for sanctioning site plan for construction of house by giving not only incorrect dimensions but by instead giving the demarcation of the land of the complainant. The criminal conspiracy and fraud purported by the accused was thus writ large from the fact that one Manvinder Singh and Resham Singh, despite having alienated their property on 29.11.2022, had applied for the sanction of site plan on

29.12.2022 along with the petitioner. Learned State counsel has submitted that the *modus operandi* of the petitioner was that she along with the co-accused would create an elaborate layer of fraudulent transactions to give a slip to the authorities concerned. Further, on the basis of these fraudulent transactions, the accused along with the petitioner had filed a civil suit and obtained ex parte interim injunction from the Court. Learned State counsel has vehemently opposed the prayer made by the counsel for the petitioner for extending the extraordinary concession of anticipatory bail to the petitioner by urging that since the petitioner had played an active role and was a conspirator in the crime in question, her custodial interrogation would be required so that the police could take the investigation to a logical end.

4. Heard learned counsel for the parties and perused the relevant material available on record.

5. In the facts and circumstances as enumerated hereinabove coupled with the fact that there are serious and specific allegations against the petitioner of being an active conspirator in a case of land grabbing and further creating elaborate fraudulent transactions to dodge the authorities, this Court does not deem it fit to extend the concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.07.2023
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(MANJARI NEHRU KAUL)
JUDGE