

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-33541-2023

Date of Decision:12.09.2023

Harjinder Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Thakur, Advocate for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab
assisted by ASI Anwar Masih.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.007 dated 11.01.2023 registered under Sections 419, 420, 465, 467, 468, 471, 120-B of the IPC registered at Police Station City Zira, District Ferozepur.

On 17.07.2023, following order was passed:

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.0007, dated 11.01.2023, registered at Police Station City Zira, District Ferozepur, under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC.

Dispute is with regard to the forged sale deed dated 06.09.2016. The land in question belongs to one Pardeep Chaudri, who had expired on 10.12.2014 and as per prosecution allegations, before his death he had donated the said land to Gaushala. However, impugned sale deed dated 06.09.2016 has been executed in favour of petitioner-Smt. Harjinder Kaur purportedly on behalf of a dead person i.e. Pardeep Chaudri.

Contention of learned counsel for the petitioner is that petitioner was not present at the time of the execution of the sale deed as someone else had appeared on her behalf; that she was not aware that some person had impersonated on behalf of the seller.

On the asking of the Court, learned counsel for the petitioner

has also placed on record the copy of sale deed to fortify his contention that the petitioner was not present at the time of execution of the sale deed.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Learned State counsel after consulting from the Investigating Officer, confirms that petitioner and deceased Pardeep Chaudri belong to different places.

Adjourned to 12.09.2023 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. She will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

On instructions from ASI Anwar Masih, it is conceded by learned State counsel that petitioner has since joined the investigation. In view of the same and having regard to the factual position noticed earlier on 17.07.2023, the petition is allowed and the order dated 17.07.2023 granting interim anticipatory bail to the petitioner, is made absolute.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

September 12, 2023
Neetika Tuteja