



CRM-M-29829-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105

CRM-M-29829-2024

Date of Decision: 03.07.2024

GURVINDER KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Chanchal K. Singla, Advocate for the petitioner.

GURBIR SINGH, J.(ORAL)

1. This petition has been filed under Section 438 of Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 002 dated 03.01.2024 under Sections 419,420,465,467,468,471,120-B IPC registered at Police Station Lalru, District SAS Nagar Mohali (Punjab).

2. The case in question was registered on the complaint of Pranav Aggarwal, son of Jyoti Aggarwal. As per version of FIR, mother of the complainant purchased the land measuring 5 Bigha 17 Biswa vide sale deed dated 29.09.2006. The mutation was also sanctioned and the possession of the said land was with them. His mother namely, Jyoti Aggarwal. died on 10.09.2019. Due to Covid-19, they could not visit the land/spot. On 01.12.2023, when his father visited the land, he found that some person had cut the straight trees from their land. They got the copy of jamabandi and came to know that such land was sold to one Bikram Singh vide sale-deed dated 13.03.2023 by Gurjinder Singh showing himself as General Power of Attorney of his mother Jyoti Aggarwal.

3. Learned counsel for the petitioner has argued that the petitioner herself is a victim of mischievous act of Gurjinder Singh. Her Aadhar number was misused at the time of the execution of General Power of Attorney. Her alleged address on



the General Power of Attorney is different. The matter is civil in nature. The complainant had already filed a suit to challenge the sale-deed. The petitioner is not beneficiary. Counsel for the petitioner further submits that main accused Gurjinder Singh and other co-accused Bikram Singh and Harwinder Singh have already been granted anticipatory bail by this Court.

4. Notice of motion.

5. Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of the respondent-State. Learned State counsel has submitted that on the General Power of Attorney, there is photograph of the petitioner. She impersonated as Jyoti Aggarwal and she has given her Aadhar card number at the time of execution of registered sale-deed. There is also a photograph of the petitioner. Moreover, the bank accounts statement of Gurjinder Singh with IDBI Bank Limited, Sohana has been obtained, which establishes the link between the petitioner and Gurjinder Singh as he had transferred money (approx. Rs. One lac) on different dates after execution of the General Power of Attorney.

6. I have heard the submissions made by the learned counsel for the petitioner and learned State counsel.

7. From the evidence collected, it is established that the petitioner impersonated as Jyoti Aggarwal. Gurjinder Singh. Her Aadhar card number was also used for execution of General Power of Attorney in favour of Gurjinder Singh. Jyoti Aggarwal had already expired in the year 2019, so, there is no question of execution of General Power of Attorney by Jyoti Aggarwal in favour of Gurjinder Singh in the year 2023. Moreover, there is photograph of the petitioner on the General Power of Attorney and she has also received amount from Gurjinder Singh



CRM-M-29829-2024

3

on different dates. So, it is a case where custodial interrogation of the petitioner is necessary. All the co-accused have already been granted anticipatory bail but the petitioner is not entitled for anticipatory bail on the question of parity with the co-accused as she herself impersonated as Jyoti Aggarwal and also used her Aadhar Card otherwise property of Jyoti Aggarwal could not be sold in an illegal manner.

8. In view of above, no case for grant of anticipatory bail is made out. This petition is without merit and it is dismissed accordingly.

03.07.2024

renu

**(GURBIR SINGH)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No