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

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CRM-M-33127-2024

Date of Decision: 15.07.2024

Rajbala

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. A.P.S. Deol, Sr. Advocate with  
Mr. Arun Kumar Goyat, Advocate  
for the petitioner.

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**SANDEEP MOUDGIL, J (ORAL)**

1. The instant third petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in FIR No.319 dated 01.12.2022, under Sections 420, 467, 468, 471, 120-B and 506 of the IPC, 1860, registered at Police Station Dadri City, District Charkhi Dadri.

2. Learned Senior Counsel submits that the petitioner had nothing to do with the Will in question dated 11.5.2005 executed by Om Parkash in favour of his another son Dharam Pal with regard to the property in dispute which was got registered after death of Om Parkash who died on 10.7.2005.

3. Learned Senior Counsel further submits that mutation with regard to estate of Om Parkash was sanctioned in favour of Dharam Pal on the basis of the aforesaid Will on 23.2.2010 and said mutation was never challenged by the complainant who is another son of Om Parkash. It is further submitted that subsequently, Dharam Pal sold the aforesaid property

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which he got from his father in favour of petitioners No.1, 2 and 4 for valuable consideration and mutation with regard to said sale deed was also sanctioned on 15.12.2014 but even said mutation was not challenged by the complainant; that mother of the petitioner namely Krishana Devi filed one suit challenging the aforesaid Will and the subsequent sale deed and the concerned mutation but the said civil suit was dismissed in default on 21.3.2023 (Annexure P-6) and till date, no efforts are made to get it restored.

4. Learned Senior Counsel further submits that there is a dispute between two brothers with regard to estate of their father and it could at the most be termed as a civil dispute; that the petitioner is ready to join the investigation with the police.

5. Notice of motion.

6. Mr. B.S. Virk, Addl. Sr. DAG, Haryana, accepts notice on behalf of the State and submits that grave allegations are appearing on record against the petitioner and she is required by the police for proper investigation of the case.

7. Entire case appears to be based on documents. Admittedly, civil suit filed by mother of the complainant on the basis of same allegations stands dismissed in default in the year 2023. The petitioner is ready to join investigation with the police and three of the petitioners are female.

8. After having heard learned counsel for the parties and specific stand of learned State Counsel, this Court finds no reason to deny the petitioner the concession of bail if the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

Hence, in view of the admitted set of circumstances before this

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Court, the petitioner is directed to be released on anticipatory bail subject to her joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

10. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

11. The petition in the aforesaid terms stands allowed.

**15.07.2024***D.Bansal***(SANDEEP MOUDGIL)  
JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No