



CRM-M-35189-2024

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

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CRM-M-35189-2024

Date of Decision:- 16.12.2024

Prabal Jindal

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. P.S.Ahluwalia, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

Mr. Vishal Deep Goyal, Advocate for complainant.

AMARJOT BHATTI, J.

1. Petitioner Prabal Jindal has filed petition under Section 438 of Cr.P.C. 1973/Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.60 dated 06.06.2024, under Sections 420, 406 abd 120-B of IPC, 1860, registered at Police Station Bhadson, District Patiala.

2. As per facts of the case, complainant Charanjit Kaur gave her statement that her husband Dhanwant Singh had land in Village Bakarpur which was acquired by PUDA/GMADA and in return he was given plot and showrooms. The complainant's husband Dhanwant Singh was friendly with accused Prabal Jindal and his father Om Parkash Jindal. They used to meet



each other and had talk regarding purchasing land. The complainant has given detail of different transactions i.e. sale deed dated 25.11.2019 vide which 48 bighas 12 biswa 2 biswasi were purchased from Kamlesh Jindal and his father Om Parkash Jindal for a sum of Rs. 1,52,00,000/-. There is another sale deed dated 03.01.2020 vide which 48 bighas were purchased from Vikas Jindal for a sum of Rs.1,50,00,000/-. There is another sale deed dated 15.10.2020 vide which 91 bighas 3 biswa 10 biswasi were purchased from Prabal Jindal for Rs.2,85,00,000/-. There was another oral agreement dated 10.07.2022 regarding 53 bighas 19 biswa 16 biswasi of land to be purchased for a sum of Rs.1,68,75,000/-. Stamp papers worth Rs.10,12,500/- were purchased on 12.07.2022. Thereafter, Prabal Jindal did not come forward for the execution of sale deed. In fact, accused persons Tara Singh, Varinderpal Singh, Harphool Singh, Mohit Garg, Kuldeep Singh etc. in collusion with each other to grab the property of Dhanwant Singh (husband of complainant) prepared fake and forged power of attorney dated 16.01.2023 and somebody impersonated as Dhanwant Singh and appeared before Sub Registrar. Varinderpal Singh, Harphool Singh, Advocate, Mohit Garg, Advocate, Kuldeep Singh, Sub Registrar, Dhuri misused their posts and prepared aforesaid fake and forged General Power of Attorney (GPA) in collusion with the accused and executed sale deed of the land on 12.02.2024 regarding which entire payment was made by her husband. Thereafter, the accused persons tried to dispossess husband of complainant forcibly by harvesting the crop. On these allegations, investigation was carried out and present FIR was registered.



3. Learned counsel for petitioner denied the allegations that there was any oral agreement regarding sale of 53 bighas 19 biswas 16 biswas of land and also denied the allegations regarding preparing fake affidavit of Dhanwant Singh attested on 30.09.2023 (Annexure P-7). It is pointed out that it was purchaser who was not in a position to pay balance sale consideration for the purpose of execution of sale deed. In fact matter in controversy is civil in nature. Both the parties have filed civil suits against each other. Prabal Jindal has filed suit for rescission of contract dated 22.11.2019 along with suit for permanent injunction. Copy of plaint is Annexure P-9. On the other, Dhanwant Singh has also filed suit for specific performance of oral agreement to sell dated 10.07.2022 (Annexure P-10). Present petitioner has already joined the investigation and he is still ready to do so. Therefore, his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State assisted by learned counsel for complainant. Status report has been filed taking the stand that sellers received huge amount of Rs.1,68,75,000/- from Dhanwant Singh on different occasions but thereafter, did not execute the sale deed rather the sale deed has been executed in favour of Gurbinder Singh on 12.02.2024 and grabbed Rs.1,68,75,000/- belonging to Dhanwant Singh. Said Dhanwant Singh had purchased stamp papers on 12.07.2022 worth Rs.10,12,500/- In case there was any lapse on the part of Dhanwant Singh, there was no reason for him to purchase stamp papers spending huge amount. Filing of civil suits against each other is not disputed. It is submitted that huge amount is involved and there are specific allegations against him.



Therefore, petitioner is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record carefully. The documents annexed with the bail petition indicate that even earlier Dhanwant Singh had purchased property from Kamlesh Jindal and Om Parkash Jindal vide sale deed dated 25.11.2019 and other sale deed dated 03.01.2020 vide which property was purchased from Vishal Jindal brother of the petitioner and there is third sale deed dated 15.10.2020 vide which property was purchased from petitioner-Prabal Jindal. Dispute started regarding oral agreement dated 10.07.2022 regarding sale of 53 bighas 19 biswas 16 biswas of land for a sum of Rs.1,68,75,000/-. The complainant has denied the affidavit of Dhanwant Singh attested on 30.09.2023 (Annexure P-7) and it is further alleged that the accused persons managed to prepare fake and forged power of attorney of Dhanwant Singh. It is also matter of record that both Prabal Jindal and Dhanwant Singh have started civil litigation against each other. Prabal Jindal had filed suit for rescission of contract (Annexure P-9) whereas Dhanwant Singh has filed suit for specific performance of oral agreement to sell (Annexure P-10). Civil rights of the parties will be decided by the Civil Courts. Present petitioner-Prabal Jindal has already joined the investigation. Entire case of the parties is based on the documents. Therefore, without going on the merits of case, anticipatory bail petition filed by petitioner – Prabal Jindal is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper

with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) of Cr.P.C./482(2) BNSS.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

16.12.2024
Sunil Devi

(AMARJOT BHATTI)
JUDGE

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