



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-36374-2024

Date of decision: 12.09.2024

Rupinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.0127 dated 15.06.2023 under Sections 419, 420, 467, 468, 471 and 120-B of the IPC registered at Police Station Civil Lines, District Amritsar.

2. Learned counsel for the petitioner submits that the petitioner, who is a lady, has been in custody since 28.05.2024, in a magisterial trial; investigation is complete as challan stands presented and charges also framed. Learned counsel submits that no doubt the petitioner is a Nambardar, however, the allegation that she had prepared a fake power of attorney of the husband of the complainant and thereafter witnessed it thereby orchestrating the sale of some land in favour of Kewal Singh and others, was totally false. Learned counsel has submitted that the petitioner being a Nambardar had no doubt witnessed the power of attorney but that was done in good faith on the



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asking of the stamp vendor i.e. co-accused Deepak Sharma, who has since been granted the concession of bail. Learned counsel has submitted that since the entire case of the prosecution hinges on documentary evidence which is already part of the challan, further incarceration of the petitioner would serve no useful purpose as there could be no apprehension of the petitioner tampering with evidence, much less trying to influence the witnesses.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has reiterated the contents of the complaint which formed part of the FIR, which is reproduced hereinunder:-

“Sir, Commissioner of Police, Amritsar: Subject fraudulently selling the property of my husband Sudharshan Singh son of Darshan Singh son of Jodh Singh by Ramandeep Kaur by getting a Power of Attorney from Sudarshan Singh (fake person) son of Darshan Singh and selling the same property on the above said Power of Attorney. Sir, it is prayed that I, Parveen Kaur wife of Sudarshan Singh son of Darshan Singh son of Jodh Singh resident of House No.218, Royal Block, Imperial City, Loharka Road, Amritsar I am the resident of above said address. And my age is about 57 years. My husband Sudarshan Singh son of Darshan Singh son of Jodh Singh is owner of Khasra No.5680/245/9, 5680/245/2, 5680/245/1/1, 5680/245/1/2, 5680/245/3, 5680/245/5, 5680/245/6, 5680/245/4, 5680/245/7 total area 17 Kanal 5 Marla out of which 15 Marla area is comes under Sultanwind, Sub-urban, Tarf Mahal, Tehsil and District Amritsar. We came to know that one lady whose names as per the Aadhar Card is Ramandeep Kaur wife of Jagjit Singh resident of village Khehrabad, Tehsil and District Amritsar, who is executing a power of attorney in her favour by conspiring with Sudarshan Singh (fake person) son of Darshan Singh resident of village Hussainpura, Bhartpur, SAS Nagar, Mohali at present resident of Amritsar and committing fraud with us and the Government. It has also come to knowledge that whenever the Ramandeep Kaur went to show the property of anyone then she went along with Bouncers and she is pretending



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that she is our relative. So, legal action may kindly be taken against Ramandeep Kaur and Sudarshan Singh (fake person) son of Darshan Singh. I shall be thankful to you. Applicant Parveen Kaur (in English) wife of Sudarshan Singh resident of House No.218, Royal Block, Imperial City, Loharka Road, Amritsar, Mobile No. 9915553747.”

4. Learned State counsel has submitted that all the accused, including the petitioner, after active collusion with each other, had committed a huge fraud as a result of which the complainant had been embroiled in multiple litigations. Learned State counsel has also submitted that this is not for the first time the petitioner has been involved in identical cases as it is a matter of record that she is facing trial in two other criminal cases. Learned State counsel has, however, on instructions from Inspector Harkeerat Singh, not disputed the stage of trial and has further submitted that the next date fixed before the learned Trial Court is 06.11.2024 when prosecution evidence is likely to commence.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 28.05.2024 in a magisterial trial. Investigation in the present case is complete as challan stands presented; the entire case of the prosecution rests on documentary evidence which, as already observed earlier, is now in the possession of the investigating agency and is part of the challan. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner



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be admitted to bail on her furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

8. Needless to add, in case the petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the same.

12.09.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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