



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2123-2021
Reserved on: 27.01.2025
Pronounced on: 30.01.2025

Jaswinder Singh and another ...Petitioners

Versus

State of Haryana ...Respondent

CRM-M-6751-2021

Meharban Singh and others ...Petitioners

Versus

State of Haryana ...Respondent

CRM-M-12173-2021

Inder Jeet Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Gurjas S. Gill, Advocate
for the petitioners (in CRM-M No. 2123, 6751 of 2021).

Mr. Narender Pal Bhardwaj, Advocate
for the petitioner (in CRM-M-12173-2021).

Mr. Aashish Bishnoi, D.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
369	17.09.2019	Ladwa, District Kurukshetra	420, 467, 468, 471, 120-B IPC



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

1. Vide this common order, CRM-M No.2123, 6751 and 12173 of 2021 are being disposed of.
2. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 438 CrPC, seeking anticipatory bail.
3. When the matter was listed for the first time on 15.01.2021, complainant had put in appearance and sought an adjournment. Subsequently, on 21.01.2021 Co-ordinate Bench of this Court had passed a detailed order which reads as follows:-

“Case heard by video conferencing.

By this petition, the petitioners seek the issuance of a direction to the arresting officer to release them on bail in the case of their arrest in case bearing FIR no.369, dated 17.09.2019, registered at Police Station Ladwa, District Kurukshetra, alleging therein the commission of offences punishable under Sections 420, 467, 468, 471 and 120-B of the IPC.

Mr. Ghai, learned senior counsel appearing for the petitioners, submits that though an agreement was earlier reached between the petitioners and the father of petitioner no.2 with the complainant, (as has been duly recorded by this court in its order dated October 03, 2019 in CRM-M-28707 of 2018, filed by the father of petitioner no.2. the petitioners, due to a loss in business, were not able to pay Rs.2 crores. The said order reads as follows:-

"It is agreed between the parties that the petitioner shall transfer 7% acres of agricultural land after redeeming the mortgage. 2/3rd share out of rest of the immovable property in the name of the deceased shall be transferred to Ranmeet Kaur while 1/3rd share shall be transferred to Bachan Kaur, who is the mother of the deceased. It is also agreed that the petitioner shall pay a sum of Rs.2,00,00,000/- to Ranmeet Kaur in lieu of the share of her father in the joint family business. The petitioner is the uncle of the complainant.

Learned counsel for the parties pray for time to draw the modalities to finally settle the matter which shall include the withdrawal of civil and criminal cases filed by Ranmeet Kaur and her mother against the petitioner and his family members.

Adjourned to 21.11.2019.



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

Interim order to continue."

Notice of motion.

Mr. B. S. Virk, learned DAG, Punjab, accepts notice at the asking of the court.

Mr. Ahluwalia, learned counsel appearing for the complainant, submits that as a matter of fact the property owned by the late Naib Singh was much more in value than Rs.2,00,00,000/- but the complainant and her daughter not having detailed knowledge of that and not being in a position to take on the petitioners and their family in a fight, or even a protracted legal fight, had agreed to the aforesaid terms and they are still willing to abide by them.

Mr. Ghai, learned senior counsel, further submits that in fact if given time the petitioners would also pay Rs.2,00,00,000/- as agreed upon on October 03, 2021, with Rs.20,00,000/- to be deposited by them within ten days in the court, by way of a demand draft.

Consequently, as has been suggested by learned counsel for the complainant, the petitioners as also the complainant and her daughter, would appear before the Deputy Commissioner, Kurukshetra, upto 28.01.2021, with the petitioners to point out to the Deputy Commissioner the properties to their knowledge as belonged to the late Naib Singh (husband of the complainant), who is admitted to have died on 14.05.2021, with the Deputy Commissioner to assist the complainant and her daughter (they being ladies, with the complainant not having any son), as to any other properties that the late Naib Singh owned in District Kurukshetra.

Upon such properties being identified, Mr. Ghai, learned senior counsel appearing for the petitioners, submits on instructions, that the petitioners would transfer 2/3rd of all such properties to the name of the complainant and her daughter, as also 7½ acres of the land referred to in the order of this court dated 03.10.2019, after redeeming all mortgages that such properties may be subject to, within a period of 3 months thereafter.

They would also pay Rs.2,00,00,000/- as recorded in the aforesaid order, with Rs.20,00,000/- to be paid within a period of 10 days from today vide a demand draft favouring the complainant and her daughter Ranmeet Kaur, with another Rs.50,00,000/- to be paid by October 31, 2021, and the remaining amount of Rs.1,30,00,000/- to be paid in equated monthly installments 6 months apart.



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

Whereas payment of Rs.70,00,000/- by October 31, 2021, even without interest, would be reasonable as both learned counsel are ad idem that money in any case was to be paid by October 03, 2021, however as regards the remaining amount as is not paid by October 31, 2021, naturally, that would have to be with interest carried on it, with the rate of interest to be obviously reasonable.

Consequently, subject to the petitioners depositing a demand draft for an amount of Rs. 10,00,000/- in the court of the learned Area Magistrate, Ladwa, favouring the complainant within 10 days, and joining investigation in the meanwhile, they shall be admitted to bail to the satisfaction of the Arresting Officer/Area Magistrate concerned.

They shall, further, abide by all the conditions stipulated in Section 438 (2) of the Cr.P.C. If the arresting officer does not join the petitioners in investigation, they would appear before the learned Ilaga Magistrate immediately, who would then summon the arresting officer and direct him to join them in investigation. It is made clear that if the demand draft as aforesaid is not deposited within 10 days in the court of Area Magistrate, Ladwa/Kurukshetra, the interim order passed in favour of the petitioners shall be deemed to have been vacated as on January 30, 2021.

To be shown in the urgent motion list on 01.03.2021."

4. After that, CRM No.2179 of 2021 was filed in which the amount was reduced to Rs.10 lacs and there was a typographical error. On 03.02.2021, the Co-ordinate Bench of this Court passed the following order:-

"Vide this application, a correction in the order dated 21.01.2021, passed by this court, is sought; inasmuch as, it is contended that only Rs. 10,00,000/- has been directed to be paid (vide a demand draft), vide the said order, whereas actually this court had orally directed that Rs.20,00,000/- be deposited by the petitioners in the court of the learned Area Magistrate, Ladwa, within a period of ten days from that order.

Even though counsel for the applicant is not appearing, however since the date of hearing in the accompanying petition is actually 1.03.2021, notice is ordered to be issued in this application to counsel for the non-applicant- petitioners, returnable on the same date, i.e. 01.03.2021."

5. On 01.03.2021, the Co-ordinate Bench of this Court passed another order which reads as follows:-



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

“Mr.Ghai learned senior counsel appearing for the petitioners, however submit that in terms of the earlier order of this court, Rs.20 lakhs have been deposited by way of two demand drafts of Rs.10 lakhs each, with in fact one paid to the complainant/her daughter through learned counsel appearing for her/them and one has been deposited with the Area Magistrate concerned.”

6. Similar orders were passed in the connected petition and petitioners were granted interim protection. Now coming to the main petition, I have heard counsel for the parties and have gone through the record and its analysis would lead to the following outcome. Facts of the case are being extracted from translated copy of FIR which reads as follows:-

“To the Superintendent of Police, Kurukshetra. Subject: Complaint for registration of an FIR under Sections 420, 461, 467, 471, 120-B of Indian Penal Code, against 1. Karnail Singh son of Shri Sher Singh, resident of Bakali, Tehsil Ladwa, District Kurukshetra, 2. Harinder Kaur wife of Karnail Singh son of Sher Singh resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 3. Meharban Singh son of Karnail Singh son of Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 4. Arman singh son of Karnail Singh son of Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 5. Bachan Kaur wife of Shri Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 6. Jaswinder Singh (Jassi) son of Shri Ajaib Singh son of Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 7. Parvinder Singh son of Ajaib Singh son of Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 8. Kuldeep Kaur widow of Ajaib Singh resident of village Bakali, Tehsil Ladwa, District Kurukshetra, 9. Virenderpal Singh son of Gurmeet Singh, resident of village Choarpur, District Kurukshetra, now residing at village Chhappar, District Karnal, 10. Balbir Kaur wife of Shri Gurmeet Singh resident of Choarpur, District Kurukshetra, 11. Gurmeet Singh son of Shri Mahinder Singh Akali, resident of village Chorpur, District Kurukshetra, 12. Parvinder Singh alias Sanju (brother in law of Karnail Singh), son of Gurdev Singh, resident of village Konkpur, Tehsil and District Ambala, 13. Jagdeep Singh son of Sumer Singh, resident of village Dugari, Tehsil and District Kurukshetra, 14. Inder Munim son of not known, Munim/Accountant with M/s Friends Finance Company, Karnal Road, Ladwa, District Kurukshetra, 15. Surinder Pal, Lambardar, resident of village Bakali, Tehsil Ladwa, District Kurukshetra and 16. Suresh Pal, Advocate (bogus witness to Will No.59 dated 13.06.2017).

Sir, it is submitted as under: We, Parminder Kaur wife of late Shri Naib Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, now C/o Gurjiwan Singh Sidhu, House No.323/3, Chandni Chown, Near Modi College Road, Patiala and Ramneet Kaur daughter of Naib Singh an wife of Satbir Singh, resident of House No.25, Amba Vihar, Near Karan Palace, Ambala City, respectfully submitted that my marriage was solemnized on 23.02.1986 with Shri Naib Singh son of Shri Sher Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra. That one daughter namely Ramneet Kaur was born to us on 29.12.1986 and



CRM-M-2123-2021
CRM-M-6751-2021
CRM-M-12173-2021

except daughter, no other issue was born to us. The said daughter was married to Satbir Singh son of Shri Karnail Singh, resident of village Mehla, Tehsil and District Ambala, on 30.01.2008. My husband expired on 14.05.2017 and after the death of my husband, Karnail Singh son of Sher Singh (Dever) Ajaib Bingham son of Sher Singh (Jeth) and other accused persons in collusion with each other, procured a forged and fabricated Will dated 18.03.2016 in respect of the entire land and the same was registered on 13.06.2017, ie, after the death of my husband. The value of the property under dispute is about Rs.25 Crorea. The signatures/thumb impressions appended on the said Will were sent to the FSL, Madhuban, in pursuance of orders passed by the Hon'ble High Court, as the said Will was found to be forged. Earlier also, an FIR No.197/2018, was registered against Karnail Singh, at Police Station Ladwa, for offences punishable under Sections 420, 461, 467, 471, 120-B of IPC and bail application filed in the aforesaid FIR, is pending adjudication before the Hon'ble High Court. Accordingly, it is prayed that strict action be taken against the accused persons by registration of an FIR U/s 420, 461, 467, 471, 120-B of IPC and justice be done with me. Besides my life and property be also protected from the accused persons. Thanking you. Sd/- Parvinder Kaur wife of late Shri Naib Singh, resident of village Bakali, Tehsil Ladwa, District Kurukshetra, now C/o Gujiwan Singh Sidhu, House No.323/3, Chandni Chowk, Near Modi College Road, Patiala and Ramneet Kaur daughter of Naib Singh and wife of Satbir Singh, resident of House No.25, Amba Vihar, Near Karan Palace, Ambala City."

7. Given the detailed order dated 21.01.2021 which was complied with on 01.03.2021 and coupled with the fact that FIR is of 2019 and the police did not arrest the petitioners till 2021 when they have appeared before this Court seeking anticipatory bail, there is no reason to re-call the said order. In addition to that, there is no allegation during the pendency of the present petition that the petitioner had threatened the complainant or the aggrieved party or influence the investigation.

8. **Petition allowed** in terms mentioned above. Interim order dated 21.01.2021 is made absolute subject to the condition that petitioner shall join investigation within two weeks, if still pending. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.01.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.