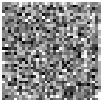


2025:PHHC:018889



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7485-2025
DECIDED ON: 10.02.2025

RAJWANT KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. H.S. Batth, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.10, dated 01.04.2024, under Sections 419, 420, 465, 467, 468, 471, 201, 34, 120-B of IPC, registered at Police Station NRI, Police Commissionerate Amritsar, District Amritsar City.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“As per allegations, complainant Karampreet Singh presented application before Sh. Kuldeep Singh Dhaliwal, NRI Cabinet Minister, Chandigarh on the allegations that complainant is residing abroad and he is having land at village Choudharywala, Tarn Taran. He also mentioned in that application that his grandfather Jalwant Singh was having land measuring 28 Kans 14 Marlas in village Choudharywala. His grandfather has already expired. Accused Kanwalpreet Singh is paternal uncle of complainant. While Rajwant Kaur, Sangrampreet Singh are paternal aunt and brother of complainant.

Accused Kanwalpreet Singh got executed fake power of attorney by way of impersonation for Jalwant Singh grandfather of complainant, in-conivance with rest of the accused. While accused Tarsem Singh Lambardar and Kulwant Singh attested that fake general power of attorney. Accused persons were not having good terms with Jalwant Singh. On that account, they got executed fake power of attorney of Jalwant Singh by way of impersonation on 19.04.2022 and even fake Aadhaar card was prepared for that purpose and that power of attorney was got registered at Amritsar on 19.04.2022. It is also alleged in that application that on the basis of that fake power of attorney Kanwalpreet Singh got transferred land measuring 20 Kanals 18 Marlas in favour of his wife Rajwant Kaur vide sale deed dated 21.04.2022 and he further got transferred land measuring 7 Kanals 16 Marlas in favour of his nephew Sangrampreet Singh vide sale deed dated 21.04.2022.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, and there is an unexplained delay of two years in initiating the proceedings. He further submits that, in any event, the matter pertains to a civil dispute, as a civil suit was filed by Jalwant Singh in the Civil Courts at Tarn Taran, which is still pending. He contends that the entire case is dependent on documentary evidence.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner is the direct beneficiary as the land was transferred in her favour on the basis of fake *Power of Attorney*.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the matter pertains to

extracted in case the petitioner joins the investigation, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and 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.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a

period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

10.02.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>