



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
220+103**

**CRM-M-10631-2025 (O&M)
Date of decision: 24.03.2025**

Milandeep Kaur @ Millandeep Kaur
.....Petitioner
Versus
State of Punjab and another
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Datta, Advocate
and Ms. Srishti S. Sharma, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Dr. Anmol Rattan Sidhu, Sr. Advocate
with Mr. Shiv Kumar, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

CRM-12158-2025

Prayer in the instant application filed under Section 528 of BNSS, 2023 is for placing on record the documents on behalf of respondent No.2/complainant as Annexures R-1 and R-2, respectively.

Allowed as prayed for subject to all just exceptions.

CRM-M-10631-2025 (O&M)

1. Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS, 2023) is for grant of anticipatory bail to the petitioner in FIR No.09 dated 29.01.2025 under Sections 406/420/120-B of IPC registered at Police Station Sirhind, District Fatehgarh Sahib.



2. On 24.02.2025, the following order was passed by this Court:-

“XX XX XX XX

Learned counsel for the petitioner inter alia contends that in the inquiry conducted by the jurisdictional police authorities, the petitioner was exonerated and further, on the alleged agreement to sell, the signatures of the petitioner is not there, however, the petitioner has been nominated as an accused on the basis of the opinion of the District Attorney. Earlier, with regard to the same allegation, the complainant has approached the Economic Offence Wing of Mohali, which was in the process of examining the veracity of the allegations levelled by the complainant, complainant thereafter, approached, the Fatehgarh Sahib police. He further submits that the petitioner has only received Rs.5 lakh in her account and she undertakes to hand over the demand draft of Rs.5 lakh to the Investigating Officer at the time of joining her investigation who may further hand it over to the complainant. Moreover, the maximum sentence under which the FIR was lodged is punishable upto 07 years.

Mr. Anmol Rattan Sidhu, Senior Advocate with Mr. Shiv Kumar, Advocate puts in appearance on behalf of the complainant and files his vakalatnama which is taken on record. He submits that the complainant is not averse to mediation to explore the possibility of amicable settlement and he further seeks time to place on record the earlier agreement to sell executed by the petitioner with another person, for another piece of land which was sold to a different person.

In view of the above, the parties along with their respective counsel are directed to appear before the



Mediation and Conciliation Centre of this Court within a period of one week from today to settle their dispute amicably.

For awaiting report, adjourned to 24.03.2025.

In the meantime, arrest of the petitioner shall remain stayed.”

3. Learned Senior counsel for the complainant/respondent No.2 submits that the petitioner is habitual of resiling from the agreement to sell after obtaining hefty amount. She has earlier cheated one another person in similar fashion, as is discernible from documents (Annexures R-1 and R-2, respectively).

4. Learned counsel for the petitioner refuted the abovesaid submissions and submits that the perusal of the vernacular of document Annexure R-1 and P-2 clearly indicates that the signatures of the petitioner are totally different and the same can be detected even by a glance through naked eye. He further submits that the petitioner is a lady and maximum sentence, under which the FIR (supra) has been registered, is punishable upto 07 years. Further submits that the petitioner is ready to submit her hand-writing along with admitted signatures for comparison with the signatures on the agreement to sell, relied upon by the complainant. Further, the petitioner has brought a demand draft of Rs.5.00 lacs (equivalent to the amount deposited by the complainant in her account).

However, learned Senior counsel for the complainant refused to accept the said demand draft brought by the petitioner.



5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. Keeping in view the facts and circumstances of the case and taking into account the fact that the petitioner is a lady; the prosecution case is based upon documentary evidence; no notice under Section 41-A of Cr.P.C. was given and also the fact that the maximum sentence provided under which the FIR (supra) has been registered, is punishable upto 07 years and additionally in the light of the law enunciated by the Hon'ble Supreme Court in ***Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833***, the present petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall continue to join the investigation as and when called and fully cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS [*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')*]



7. If the Arresting Officer does not permit the petitioner to join the investigation, she would appear before the learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

24.03.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No