

CRM-M-17793-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17793-2025
Reserved on: 02.05.2024
Pronounced on: 13.05.2025

Rinku ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. A.S. Sekhon, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

Mr. Vishal Rattan Lamba, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
36	24.10.2024	SAS Nagar, Mohali	419, 420, 467, 468, 471, 120 B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In paragraph 19 of the bail petition, the accused declares that she has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the brief facts of the present case are that the complainant Hardyal Kaur has 196 Kanals of land, apart from other land share, situated in Village Gujjar District Faridkot. The petitioner/accused namely Rinku wife of Vishal hatched a conspiracy to impersonate as Hardyal Kaur with other co-accused and prepared a false General Power of Attorney in favour of co-accused Parampal Singh son of Balvir Singh. The other co-accused persons namely Vijay Kumar (Numberdar) son of Munshi Ram and Devinderpal Singh son of Pritpal Singh signed on the false General Power of Attorney as witnesses verifying the fact that Rinku was Hardyal

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Kaur. The co-accused Parampal Singh further sold the above-mentioned land to the accused Balvir Singh son of Darshan Singh and co-accused Safdarpal Singh and Navjinder Singh through 06 sale deeds, registered on 24.07.2024.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel as well as counsel for the complainant oppose the bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“10. That in this case, one forged GPA of Hardyal Kaur wife of late Rajinder Singh has been prepared by the petitioner/accused Rinku, whereas the actual Hardyal Kaur wife of late Rajinder Singh is aged about 80 years and is resident of Village Mumara, Tehsil and District Faridkot. The petitioner/accused Rinku wife of Vishal impersonated herself as Hardyal Kaur wife of late Rajinder Singh and got registered General Power of Attorney on 20.05.2024 in respect of 192 Kanals of land situated at Village Gujjar, Tehsil Sadiq, District Faridkot, before Sub Registrar, Ferozepur, in favour of Parampal Singh son of Balvir Singh and the petitioner/accused Rinku was falsely identified as Hardial Kaur by the co-accused Vijay Kumar and second attesting witness/accused Davinderpal Singh. On the basis of forged and fabricated GPA, Parampal Singh got registered sale deed dated 24.07.2024 in favour of Safdarpal Singh, Navjinder Singh and Balvir Singh regarding aforesaid 192 Kanals of land situated at Village Gujjar, Tehsil Sadiq, District Faridkot, before Sub Registrar, Ferozepur and thereby, defrauded the complainant i.e. actual Hardyal Kaur wife of late Rajinder Singh by preparing false and fabricated GPA regarding her 192 Kanals of land. All the accused had conspired and colluded by hatching a deep rooted criminal conspiracy in order to illegally grab the land of complainant Hardyal Kaur and thereby, prepared false and fabricated documents i.e. Aadhar Card as well as GPA dated 20.05.2024.”

REASONING:

7. Allegations against the petitioner are that she had impersonated herself as the complainant i.e Hardyal Kaur and got registered general power of attorney in respect of 192 kanals of land in favour of Parampal Singh who further sold all land. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However,

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considering the fact that petitioner is not a beneficiary and she is a lady with clean antecedents, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 13 of the bail petition, the petitioner has been in custody since 26.12.2024. Per the custody certificate dated 30.04.2025 the petitioner’s total custody in this FIR is 04 months & 02 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner’s complying with the following terms.
12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
13. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.
14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

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15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

13.05.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.