



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-19736-2025

Date of Decision:02.05.2025

Kanti Devi

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Aman Pal, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner, who is aged about 77 years has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to her in a case FIR No. 27, dated 07.10.2022, under Sections 420, 467, 468, 471 and 120-B of IPC and under Section 13(1)(d) read with 13(2) of the Prevention of Corruption Act, registered at Police Station State Vigilance Bureau, Ambala District (Annexure P-1).

2. Learned counsel for the petitioner has argued that the petitioner had obtained the land in question in her favour, on the basis of certain affidavit, even though she was not eligible to take the land. He further contends that the Arjun son of Roda was the actual lessee and Arjun had submitted an affidavit voluntarily before the District Welfare Officer, Kaithal in which he agreed to transfer the land measuring 04 kanals 19 marla in favour of the petitioner. Based on this affidavit and in accordance with the letter dated 27.03.2001, the

District Welfare Officer, Kaithal allotted the land measuring 79 kanals 1 marla to the LRs of Arjun as well as to the petitioner. Even the allotment letter dated 28.02.2008 was issued in favour of the petitioner and later on, a mutation was also sanctioned in favour of the petitioner. He further contends that Dhukar @ Gurdeep Singh, wife of SL Chand and grandson of Arjun also executed their affidavits dated 15.05.2008 in favour of the petitioner. Learned counsel further contends that the petitioner has been in cultivating in possession of the land since then and the allotment in her favour has not been cancelled so far. He further contends that the case is based on documentary evidence and the F.I.R has been got registered by the complainant after a long and unexplained delay.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the land was illegally allotted in favour of the petitioner and she is not entitled to claim any relief from this Court in the present case.

4. I have heard the learned counsel for the parties and perused the record carefully in the present case.

5. It is clear from the record that the land was allotted in favour of the petitioner in the year 2008 and the LRs of Arjun son of Roda have not raised any objection so far. Moreover, the District Collector, Kaithal had issued a letter dated 10.07.2015, whereby, all mutations made by Allotment Committee were set aside and the directions were passed to issue fresh re-allotment letters, however, said order was challenged before this Court and this Court had stayed the operation of the order passed by the District Collector, Kaithal, Thus, the prosecution is yet to lead evidence with regard to the involvement of the petitioner in the crime and the Trial Court is yet to adjudicate as to whether any

offence is made out or not. This Court is of the considered opinion that the ingredients of the offence in the present case are highly debatable and the case is based on documentary evidence. Thus, the custodial interrogation of the petitioner may not be required. Moreover, the petitioner is lady aged about 77 years and deserves sympathetic consideration by this Court.

6. Thus, without commenting any further, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

02.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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