

2025:PHHC:051337



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

136

CRM-M-20792-2025

Date of decision: April 22, 2025

HARVIR SINGH DHINDSA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. T.S. Dhillon, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.20 dated 25.03.2025 under Section 7 of the Prevention of Corruption Act, 1988 as amended by P.C. (Amendment) Act, 2018 and Sections 420, 465, 466, 468, 471 and 120-B of the IPC, 1860, registered at Police Station Vigilance Bureau, Patiala Range, District Patiala (Annexure P-1).

2. The instant FIR was registered at the instance of one Amarjit Singh, pertaining to alleged corruption and illegal sanctioning of land mutation after the death of Mahinder Singh, who owned 19 bighas of land in Village Bheekampur. Mahinder Singh had two daughters from his first marriage-Sarabjit Kaur (wife of the complainant) and Gurmeet Kaur (since deceased). He later on married Gurmail Kaur without divorcing his first wife. Gurmail Kaur brought her daughter Birpal Kaur from her previous marriage, who was later adopted by Mahinder Singh.



3. After Mahinder Singh's death, his biological daughter-Sarabjit Kaur claimed succession to the property. However, the mutation (No.1921) was allegedly and illegally sanctioned in favour of Birpal Kaur (adopted daughter of Mahinder Singh). The complainant-Amarjit Singh produced a video recording where co-accused Patwari Jang Singh allegedly demanded a bribe of Rs.1 lakh to transfer the land to Sarabjit Kaur and further claimed that the petitioner, who was serving as a Kanungo, had already received Rs.4-5 lakhs from the opposite party to get the mutation sanctioned in the name of Birpal Kaur. It transpires from the material on record that an inquiry was carried out, wherein it was revealed that the mutation, which was under dispute, should have been referred to the Sub Divisional Magistrate; the petitioner, however in connivance with others, bypassed the process, tampered with the official records, and thereafter, sanctioned the mutation illegally. Pertinently, after the transfer of Naib Tehsildar Ram Lal, the petitioner used a laptop containing the active login credentials of the transferred Naib Tehsildar to fraudulently process the mutation. Fresh back-dated entries were made to give the appearance that the mutation was sanctioned before the new official took charge.

4. Notice of motion.

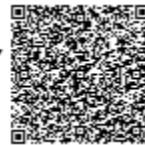
5. On the asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.



6. Learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. He, on instructions, has controverted the submissions advanced on behalf of the petitioner by urging that there are serious and grave allegations levelled against the petitioner, who was serving as a Field Kanungo at the relevant time. Learned State counsel has further submitted that the petitioner, in furtherance of a criminal conspiracy with co-accused Birpal Kaur, deliberately exceeded the bounds of his authority to confer an undue and wrongful advantage upon her, and in doing so, illegally deleted mutation No.1921, which had been sanctioned in favour of Sarabjit Kaur.

7. It has been further contended that the petitioner was fully aware that rival claims had been made with respect to the mutation, and that the ultimate authority to adjudicate upon the dispute lay with the SDM. Despite this, the petitioner proceeded to illegally sanction the mutation in favour of co-accused Birpal Kaur, thereby misusing his official position and acting in a manner squarely beyond the scope of his jurisdiction. Learned State counsel, on further instructions, has also asserted that custodial interrogation of the petitioner is necessary to unearth the larger conspiracy and to ascertain the manner and extent of illegal gratification allegedly received by the petitioner.

8. I have heard learned counsel for the parties and perused the relevant material placed on record.



9. In view of the allegations against the petitioner and the circumstances noted hereinabove, the acts attributed to the petitioner *prima facie* appear to be illegal, done in excess of jurisdiction, and reflective of misuse of official position with potential tampering of official records.
10. Considering the serious nature of allegations and the role ascribed to the petitioner, this Court does not deem it fit to extent the extraordinary concession of anticipatory bail to him.
11. Accordingly, the instant petition stands dismissed.
12. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

April 22, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*