

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

2025.PHHC.172221



Date of decision: 05.12.2025.

(1)

CRM-M-30976-2022 (O&M)

MEENA YADAV

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

(2)

CRM-M-32333-2022 (O&M)

RAHUL CHAUHAN

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sumit Mahajan, Sr. Advocate, with
Mr. Vishal Sharma, Advocate, and
Mr. Shrey Sachdeva, Advocate,
for the petitioner(s).

Dr. (Ms.) Malvika Singh, DAG, Haryana.

Mr. Rishabh Chaudhary, Advocate, for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

Both these petitions, though filed by different accused persons, arise out of the same FIR and, therefore, are being adjudicated by way of a common order.

For the facility of reference, the facts, in brief, are being referred to from CRM-30976-2022 titled as ‘Meena Yadav Vs. State of Haryana.’

Briefly summarised, the present case was registered on the basis of a statement made by Deepa Yadav, wife of Arjun Ahuja, who is the step-daughter of the petitioner. She stated that her biological mother had passed away in 1998 and thereafter her father married the present petitioner, Meena Yadav, with whom he had two children, namely Vivek Yadav and Raavee Yadav. Deepa further stated that her father died in the year 2014 and that he was the owner in possession of land measuring 1.59 acres falling in Khasra No. 85/2, situated in the revenue estate of village Sikanderpur Ghoshi. As he submitted that her father, along with other co-owners, had entered into a collaboration agreement dated 22.03.2004 with M/s DLF Universal Land Ltd. regarding the aforesaid land. Pursuant to the said collaboration, the land was developed and a commercial complex known as “DLF City Court” was constructed. Various units in the said commercial complex were allotted by the developer to her father and the other co-owners. She further stated that, in addition to the property already referred to, the complainant’s father was also the owner of land measuring 3 biswas situated in the revenue estate of village Sikanderpur Ghosi, Tehsil and District Gurugram, as well as 49 kanals and 9 marlas of land in the revenue estate of village Binola, Tehsil Manesar, District Gurugram. The complainant asserted that her father had executed a Will

bequeathing these properties in her favour, pursuant to which she came into ownership and possession thereof, however, the petitioner, Meena Yadav, being driven by greed, represented in the year 2015 that the commercial units allotted in the DLF City Court complex were not being properly managed and on the pretext of ensuring better administration and control, procured the complainant's signatures on a General Power of Attorney dated 14.07.2016 and acting on the strength of the said document, the petitioner succeeded in effecting a transfer deed in her own name in respect of one of the commercial units. It is further alleged that the aforesaid transfer was not the result of any conscious, voluntary or informed decision on the part of the complainant but was procured through false misrepresentation, deceit and fraud practiced upon her by the petitioners. It is asserted that accused Meena Yadav and Vivek Yadav, by misleading and alluring the complainant, obtained her signatures on multiple documents without disclosing their true nature or legal consequences. Acting under such misrepresentation, another transfer deed bearing Vasika No. 7139 dated 24.09.2015 was executed by Vivek Yadav in his own favour in respect of land comprised in Khasra No. 85/2. The complaint further alleged that additional transfer deeds dated 12.12.2014 were similarly obtained in relation to the land situated in the revenue estate of village Binola, Tehsil Manesar, thereby enabling the petitioners to unlawfully secure ownership of properties rightfully devolving upon the complainant.

Subsequently, the complainant claims to have discovered the fraudulent acts perpetrated against her. Upon confronting the petitioners regarding the said transactions, she was subjected to physical abuse on 13.08.2019. Thereafter, the complainant married one Arjun Ahuja and

asserted her independent rights over the properties in question. The present FIR has emanated from the aforesaid property transactions and the conflicting claims asserted by the parties in respect thereof.

Learned Senior Counsel appearing on behalf of the petitioners submits that while it is not disputed that the petitioner is the step-mother of the complainant and that she subsequently married the complainant's father, the transfer deeds executed in favour of Vivek Yadav, son of the petitioner, were executed by the complainant herself, voluntarily and consciously, without any pressure, coercion or undue influence from anyone. He further submits that, notwithstanding these facts, the complainant had already instituted a civil suit on 02.12.2020, wherein she raised identical pleas and sought a declaration of ownership and possession over the properties in dispute. The present FIR was registered only after the institution of the said civil proceedings, thereby indicating that the complainant has sought to give a criminal colour to what is essentially a civil dispute. Learned Senior Counsel also contends that one of the allegations levelled against the petitioner is that she availed a home loan from ICICI Bank by forging the complainant's signatures. Even assuming the allegations to be taken at face value, it is submitted that the complainant has suffered no financial loss whatsoever, as the entire loan amount already stands repaid on 08.12.2020.

Learned Senior Counsel appearing on behalf of the petitioner submits that, at the time of filing the present petition, this Court had granted interim protection to the petitioner by staying her arrest vide order dated 20.07.2022. Pursuant thereto, the petitioner has joined the investigation on multiple occasions and has cooperated fully with the investigating agency. It

is further submitted that this Court, in an endeavour to facilitate an amicable settlement between the parties, referred the matter to the Mediation and Conciliation Centre after both sides expressed willingness to explore the possibility of resolving their inter se disputes. However, despite several sessions, the mediation process did not culminate in any amicable settlement. Learned Senior Counsel contends that more than three years have now elapsed since the grant of interim protection, during which period there is not a single allegation of the petitioner having misused the concession of bail or having interfered with the investigation in any manner. In view of her continued cooperation, it is argued that the interim order be made absolute.

Learned State counsel, on the other hand, submits that the State has placed on record a status report by way of an affidavit dated 02.12.2024 sworn by Vikas Kumar, HPS, Assistant Commissioner of Police, DLF, Gurugram. While it is not disputed that the petitioner has indeed joined the investigation pursuant to the interim directions of this Court, it is contended that her custodial interrogation remains necessary to ascertain the identity of the person who forged the complainant's signatures and to unravel the manner in which the forged documents were prepared and utilized. It is further submitted that an amount of ₹18 lakhs, said to have been obtained through the use of forged signatures for securing a loan from ICICI Bank, is yet to be recovered.

Counsel for the respondent-complainant vehemently opposes the grant of anticipatory bail to the petitioners. It is submitted that the petitioner, standing in a fiduciary and dominating relationship as the step-mother of the complainant, grossly misused that position by resorting to misrepresentation

and fraud, thereby depriving the complainant of property bequeathed to her under the Will of her late father. Counsel contends that the forensic examination report establishes that the complainant's signatures were forged on the loan documents, which were then used to procure a loan on the strength of fabricated papers.

I have heard the learned counsel appearing for the respective parties.

Insofar as the contention of the respondent-complainant regarding the petitioner having procured a loan on the strength of documents bearing forged signatures of the complainant is concerned, I am of the opinion that no further observation on that aspect is warranted at this stage. The loan amount already stands repaid and the question of the signatures having been found to be forged is a matter from which all necessary legal consequences shall be drawn by the competent Court seized of the trial. Moreover, the dispute in the present case is predominantly documentary in nature and is already the subject matter of civil proceedings between the parties. It is also not in dispute that the petitioner had been granted the concession of interim bail vide order dated 20.07.2022 and that there is no allegation whatsoever of misuse of the said concession. In these circumstances, the mere pendency of allegations touching upon forged signatures does not, by itself, justify the denial of anticipatory bail.

Taking into consideration that the present case is fundamentally rooted in documentary evidence arising out of a property dispute and the issue is already pending adjudication before the Civil Court and further noting that the material sought to be relied upon by the prosecution is primarily

documentary in nature, I am of the view that the petitioners are entitled to the concession of anticipatory bail at this stage as there is no allegation against the petitioner for having misused the concession of bail during this entire period.

Moreover, the nature of the allegations is not such as would shock the collective conscience of society so as to mandate custodial interrogation of the petitioners for the discovery of the true facts.

The present petitions are accordingly allowed. The interim order dated 20.07.2022 passed by this court is confirmed.

Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

A photocopy of the order be placed on the connected file(s).

December 05, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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