



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

Date of decision: 29.01.2025

1. CRM-M-40878-2024

Ranjna Kaur

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M-52894-2024

Charanjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Baljinder Singh, Advocate
for the petitioner in CRM-M-40878-2024.

Mr. N.S. Dadwal, Advocate
for the petitioner in CRM-M-52894-2024.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Kulwant Singh, Advocate
for the complainant in both the cases.

HARPREET SINGH BRAR J. (Oral)

1. Both the aforesaid petitions have been filed under Section 482 of BNSS, 2023, seeking anticipatory bail to petitioner namely Ranjna Kaur and Charanjeet Singh, in case FIR No.43 dated 22.04.2024, registered under Sections 419, 420 and 120-B IPC, at Police Station NRI, Ludhiana, District Ludhiana.



2. On 27.08.2024, the following order was passed (in CRM-M-40878-2024):-

“2. In asking for the relief (supra), learned counsel for the petitioner inter alia submits that petitioner is not the beneficiary at all, in fact, it is the act of Charanjit Singh, who forged the Aadhaar card. Learned counsel for the petitioner further submits that a civil suit is pending between the complainant, and the other accused persons, who are brother of the complainant, regarding the property of their father. Learned counsel for the petitioner also submits that the petitioner is ready and willing to join the investigation.

3. Notice of motion.

4. Mr. Pardeep Bajaj, DAG, Punjab, waives service of notice on behalf of the respondent-State.

5. List on 01.10.2024.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bond to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) BNSS.”

3. Similarly, on 23.10.2024 (in CRM-M-52894-2024) the following order was passed:-

“The allegation against the present petitioner, are that he conspired to impersonate his real sister, by producing one Ranjana Kaur, who is petitioner's sister-in-law, and got prepared one affidavit carrying 'no objection'



on behalf of the complainant, for the purpose of changing the mutation on the basis of inheritance qua the ancestral properties.

Learned counsel for the petitioner submits that though the allegation against the present petitioner is that he got prepared the forged affidavit, but in pursuance of the said affidavit, mutation has been entered but not sanctioned. Therefore, no wrongful loss has been caused to the complainant.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State, and waives service. Mr. Kulwant Singh, Advocate, has caused appearance on behalf of complainant, through a memo of appearance, and undertakes to file a validly executed power of attorney in his favour within 15 days from today, with the Registry of this Court.

Adjourned to 14.11.2024.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so, and shall abide by the conditions as provided under Section 482(2) BNSS, 2023.

To be heard alongwith CRM-M-40878-2024.”

4. Learned counsel for the petitioner(s) submits that after passing of the aforementioned order(s), both the petitioners have joined the investigation and even further joined the investigation on



21.11.2024, in pursuant to the order dated 14.11.2024, passed by the Co-ordinate Bench of this Court.

5. Learned counsel for the petitioner (in CRM-M-52894-2024) contends that it was submitted before this Court that the petitioner – Charanjeet Singh would hand over the original affidavit and Aadhar Card as required by the Investigating Officer concerned, however, he refers to Para 4 of the status report, filed on behalf of respondent – State of Punjab, dated 30.09.2024, (in CRM-M-40878-2024) in which it has been observed as under:-

“.... The present petitioner is the sister-in-law of said Charanjit Singh and the said impersonation has been committed by the petitioner in connivance with said Charanjit Singh and Sarabjit Singh and thereafter submitted the said documents before the Tehsildar for getting sanctioned mutation of the property of deceased Joga Singh in the names of said Charanjit Singh and Sarabjit Singh.....”

6. Learned counsel for the petitioner(s) further submits that the affidavit, in question is not in possession of the petitioner and rather even as per the status report filed by respondent – State of Punjab, it has been submitted before the Revenue Authorities for the purpose of sanctioning of the mutation. Further submits that the FIR (supra) is only registered under Sections 419, 420 and 120-B IPC and there is no forgery involved in the case. Lastly, the maximum sentence provided, in which the FIR (supra) has been registered, is punishable up to 07 years.



7. Learned State counsel assisted by learned counsel for the complainant and on instructions from ASI Amrik informs the Court that both the petitioners have joined the investigation twice.

8. In view of the statement of learned State counsel, order(s) dated 27.08.2024 and 23.10.2024, are hereby made absolute. Both the petitioners shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*), keeping in view 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.*

9. The petitions stand disposed of.
10. A photocopy of this order be placed on the file of other connected case.
11. The Investigating Officer would be at liberty to procure the relevant documents from the revenue authorities.

(HARPREET SINGH BRAR)
JUDGE

29.01.2025

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No