



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

110

**CRM-M No.6888 of 2026 (O&M)
Date of Decision:05.02.2026**

Harbhajan Kaur

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH**Present:** Mr. Parminder Singh, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. A.G., Haryana.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Sections 406, 420, 464, 465, 467, 468, 471 and 120-B of Indian Penal Code, hereinafter being referred as 'IPC' only, the FIR No.151 dated 09.10.2018, has been lodged in Police Station Dand, District Kurukshetra. In the above mentioned case, the petitioner is apprehending arrest, and therefore, for the benefit of anticipatory bail she has approached this Court, by virtue of present petition under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023, hereinafter being referred to as 'BNSS' only.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Mukesh Rani', hereinafter being referred to as 'complainant' only. It was stated by the above named complainant that the petitioner and her co-accused had entered into an agreement to sale of their agricultural land, and that at the time of deal it was



told to her that the property was free from all encumbrances, but later on it was found that there was bank loan and the above mentioned property was already mortgaged at the time of sale. According to learned counsel for the petitioner, despite receipt of huge amount as advance money the petitioner and her co-accused have not executed the sale deed in favour of the complainant, and thus, she has been subjected to fraud.

3. It is the case of the prosecution that in view of above mentioned complaint formal FIR of this case was lodged and the investigation taken up.

4. Notice of motion.

5. Since advance notice has already been served upon the State, Mr. Parveen Kumar Aggarwal, Addl. A.G., Haryana, appears on behalf of respondent-State, and waives service.

6. Heard.

7. It has been contended on behalf of the petitioners that petitioner is innocent, and that this is the second petition for anticipatory bail moved by the petitioner. According to learned counsel for the petitioner, the first petition moved by the petitioner was withdrawn at the time of hearing of that petition, it was reported by the prosecution that the petitioner has been found innocent. As per learned counsel for the petitioner subsequently, during the course of trial by invoking jurisdiction under Section 319 Cr.P.C. the petitioner has been summoned as an accused. Hence, the second petition for anticipatory bail.

8. It has been further contended by learned counsel for the petitioner that false allegations have been levelled in the complaint, that the land which was subject matter of agreement to sell was mortgaged by the petitioner or



other co-accused. According to learned counsel for the petitioner, in fact, the other piece of land was mortgaged but the complainant due to some misunderstanding submitted complaint before the police alleging therein that the land which was subject matter of the agreement to sell by the petitioner (through General Power of Attorney) was under mortgaged. In addition to above, it has also been contended by learned counsel for the petitioner that the petitioner, who was not initially prosecuted is an old aged lady, and that nothing is left to be recovered from the possession of petitioner.

9. The learned State counsel has controverted the above mentioned arguments. According to learned State counsel the allegations against the petitioner are of serious nature and she does not deserve the benefit of anticipatory bail.

10. The record has been perused carefully.

11. A perusal of the record shows that the petitioner during the course of investigation was found to be innocent, and that she was never arrested. The petitioner has been subsequently summoned as an additional accused. The above mentioned factual matrix of the case shows that custodial interrogation of the petitioner is not at all required.

12. In addition to above, it is also relevant to mention here that as per contents of the FIR *prima facie* the dispute between the parties is a dispute of civil nature.

13. Taking into consideration the cumulative effect of all the above mentioned factors, the present petition for anticipatory bail is hereby allowed.

14. Thus, it is hereby directed that, in the event of arrest of the



petitioner, she shall be released on anticipatory bail on furnishing bonds to the satisfaction of arresting officer. It is further directed that the petitioner appear before the learned trial Court on the next date of hearing, i.e. 23.02.2026 and furnish the bail bonds. It is, however, clarified that on next date if the petitioner fails to appear before the learned trial Court the benefit of anticipatory bail may be withdrawn. Petitioner shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(SURYA PARTAP SINGH)
JUDGE

05.02.2026
Manoj Bhutani

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