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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**CRM-M-9032-2026 (O&M)**

Date of Decision: 12.05.2026

MANJIT KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Bhupender Singh, Advocate
and Mr. Narinder Singh, Advocate
for the petitioner.

Mr. Vinay Malhotra, D.A.G., Punjab.

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.52 dated 24.02.2022, under Sections 420, 120-B of IPC at Police Station City Kharar, District SAS Nagar.

2. On 16.02.2026, following order was passed:

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Manjit Kaur, aged about 60 years	52	24.02.2022	420, 120-B of IPC	City Kharar	SAS Nagar

2. *Learned counsel for the petitioner, inter alia, contends that as per the allegations levelled by the complainant – Sukhdeep Singh, one ancestor, namely Surmukh Singh, died in the year 2016 and his estate was to devolve upon his five children, namely: (i) Harbans Singh (son), (ii) Nirmal Singh (son), (iii) Jagjit Singh (son), (iv) Manjit Kaur (daughter – petitioner herein), and (v) Rajinder Kaur (daughter).*

It is alleged that Manjit Kaur (petitioner herein) filed an affidavit before the revenue authorities regarding the legal heirs of Surmukh Singh; however, name of Nirmal Singh was intentionally omitted in order to grab his share, and consequently, mutation was sanctioned ignoring Nirmal Singh and his successor.

3. *Learned counsel for the petitioner submits that, as per the police inquiry, the stamp paper was purchased by one Baljit Singh on 01.08.2016. It is argued that petitioner, being about 60 years of age and illiterate, and having no knowledge of the contents thereof, might have signed the affidavit without understanding the facts mentioned therein before it was filed with the concerned authorities.*

It is further contended that even if the allegations are assumed to be correct, share of Nirmal Singh could not have accrued exclusively to petitioner Manjit Kaur, as admittedly there were other brothers and a sister who would have equally benefited. Therefore, there was no intentional deletion or omission of Nirmal Singh’s name; at best, it may be a case of inadvertent omission, which is always subject to correction before the revenue authorities. It is also pointed out that the

original pedigree table prepared by the then Patwari was attested by Sukhminder Singh, Numberdar of the village.

4. *Lastly, it is argued that since the allegations are to be established primarily through documentary evidence, custodial interrogation of the petitioner is not required. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

5. *Notice of motion.*

6. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 12.05.2026.*

8. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on ad-interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Status report by way of an affidavit on behalf of the respondent-State has been filed in the Court today. The same is taken on record. Registry is directed to tag the same at appropriate place.

4. Learned State counsel on instructions from ASI Raj Kumar submits that the petitioner has joined the investigation on 01.04.2026, and as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 16.02.2026 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

6. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. However, present order would be subject to the submission of her passport to the Investigating Agency or to Court concerned, if she possesses, within a period of one week from today. Otherwise, she would submit an affidavit, disclosing the fact that she does not possess any passport.

8. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

May 12, 2026

gurpreet

(SANJAY VASHISTH)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No