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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 18.03.2026

Labh Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Vini Rana, Advocate for
Mr. K.S. Brar, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Hardeep Singh, Advocate for the complainant
(through video conferencing).

SANJAY VASHISTH, J.

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
Labh Kaur	288	30.06.2024	419, 420, 120-B IPC	Zirakpur	SAS Nagar Mohali

2. FIR in the present case was registered at the instance of complainant-Davinder Singh, which reads as under:

“Respected Sir, It is humbly requested that myself, Davinder Singh son of Ravinder Singh son of Ranjit Singh, resident of House No. 455, Phase-02, Urban Estate, Patiala, am engaged in agricultural work. My



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grandmother, Labh Kaur (Aadhaar: 5879 6766 4885) daughter of Bant Kaur (wife of Ranjit Singh), resident of House No. 455, Phase-02, Urban Estate, Patiala, is 82 years old. She is in an old age and is unable to walk. My grandmother, Labh Kaur, is the owner in possession of land situated in Village, Nagla, Hadbast No. 51, Sub-Tehsil Zirakpur, District Sahibzada Ajit Singh Nagar. The details of the land are as follows: Khewat/Khata No. 43/1, 70/1, 70/2, 70/3, 70/4. Khara No. 198Min (0-17), 199/1min (1-10), 200min (1-10), 195/2(1-10), 195/4 (0-9), 195/5 (0-6), 196/1 (2-4) , 196/2 (1-16), 197/1 (1-16) 198min (5-9), 199/1min (1-16), 199/2min (0-14), Harmin (2-0), 190min (3-5), 192/4 (1-4), 192/5 (0-12), 194/2 (1-16), 197/2 (1-10) , 182/3 (2-19) , 183/3 (0-16) , 184(3-8) 185/1 (2-18), 166/4 (0-11) 319/5105 share of 27 kite area 51 bigha biswa measuring 03 bighas 03 biswas 16 biswasi, located at Mauja Nagla, Tehsil Dera Bansi, District Sahibzada Ajit Singh Nagar, Land Hadbast No.: -51, Jamabandi (land record) for the year 2013-14 is attached as proof of ownership. That Gurwinder Singh alias Raju son of Harnek Singh, resident of Village Khalsapur, Police Station Ghanour, District Patiala, in connivance with Bishandas Dhupar son of Boota Ram, resident of Ranjit Bagh Gurdaspur, and Mohit Dhupar son of Bishandas, and Pankaj Kumar, by way of a pre-planned conspiracy, impersonated my grandmother Labh Kaur daughter of Gajjan Singh wife of Ranjit Singh, by presenting a fake woman as Labh Kaur and preparing forged documents in Labh Kaur's name. They presented the imposter at Tehsil Derabassi and had the registry transferred in



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the name of Bishandas Dhupar. Gurwinder Singh alias Raju, in collaboration with Bishandas Dhupar, Mohit Kumar Dhupar, and Pankaj Kumar, undertook all these actions to cause us financial loss and to gain financial benefit themselves, with the intention usurp our land. We have also filed cases with the SDM Dera Bassi and the Civil Court Dera Bassi. Which is under consideration. Therefore, we request you to register a mentioned case against the above individuals for usurping our land by posing a fake Labh Kaur woman instead of the real Labh Kaur and by producing fake documents so that we can get justice. Sd/-Davinder Singh (Davinder Singh son of Ravinder Singh House No. 455, Phase 02, Urban Estate Patiala Mobile number:-9501395083”

3. Referring to the allegations in the FIR, learned counsel for the petitioner submits that the petitioner is alleged to have impersonated another person, namely Labh Kaur, and to have sold land which, in fact, did not belong to her. Counsel further submits that, upon filing of the initial complaint, a detailed investigation was conducted, and the DSP, Command Centre, District SAS Nagar, Mohali concluded that no criminal case was made out. Accordingly, recommendations were forwarded for closure of the complaint.

4. Thereafter, complainant submitted a fresh complaint in the month of September 2023, pursuant to which the FIR in question came to be registered. Petitioner is an 82-year-old woman and belongs to the family of Sh. Mota Singh. As per the revenue record, the property is

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shown to belong to the petitioner, having been inherited by her from one Bant Kaur, who, in turn, succeeded to the same from her father, Mota Singh.

5. Learned counsel for the petitioner further submits that all documents pertaining to the grandmother of the complainant, Labh Kaur, reflect that the name of her mother was Karam Kaur, and that she was not known by any other name. Referring to the contents of the FIR, it is submitted that the complainant himself has admitted to having raised the same issue before the Revenue Court as well as the Civil Court, and the matter is presently pending adjudication before the competent courts.

6. It is also pointed out that an application under Order VI Rule 17 CPC was filed by the complainant party in the civil suit seeking amendment of the plaint, wherein they expressed their willingness to incorporate the plea that the name of the mother of Labh Kaur's grandmother was Karam Kaur and not Bant Kaur. This, it is argued, demonstrates that the complainant's grandmother's mother was never known as Bant Kaur and was only known as Karam Kaur.

7. Learned counsel for the petitioner further contends that, in fact, after the death of her parents, petitioner was adopted by her grandmother-Bant Kaur, and consequently, property of Bant Kaur devolved upon the present petitioner after her death.

Broadly, counsel for the petitioner argues that civil litigations are pending between the parties, and the essential ingredients to constitute offences under Sections 419 and 420 IPC are not made out.

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Counsel submits that mere registration of a criminal case cannot be a ground to subject the petitioner to custodial interrogation.

8. It is further submitted that, after issuance of notice in the present petition, and in compliance with the direction dated 12.06.2025, the petitioner has already joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

9. On the other hand, learned State counsel, on instructions from ASI Ravinder, does not dispute the factum of the petitioner having joined the investigation and submits that the petitioner has already joined the investigation on 07.07.2025 and, as of now, his custodial interrogation is not required.

10. However, learned counsel for the complainant vehemently contends that the petitioner has committed the alleged offence by manipulating the record in connivance with revenue officials and has succeeded in selling the property in question. It is further contended that the petitioner is not the actual owner but has impersonated the real Labh Kaur, who is, in fact, the sole successor to the property.

11. I have heard the submissions of learned counsel for the parties and have gone through the entire record.

12. Undoubtedly, the admitted position, as stated by the complainant, is that the same issue has been raised by him before the Revenue Authorities as well as before the Civil Court. An attempt has also been made to change the name by moving an application under Order VI Rule 17 CPC. From no angle does it appear that the issue raised

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by the complainant can be adjudicated by subjecting the petitioner to custodial interrogation. Moreover, petitioner has already joined investigation and as of now her custodial interrogation is not required; interim bail order dated 12.06.2025 is hereby made absolute. Accordingly, present petition is allowed.

It is made clear that 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.

13. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if she does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

14. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

18.03.2026

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**