



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-32264-2025
Decided on: 24.03.2026

SANDEEP KAUR
.....Petitioner
Versus
STATE OF PUNJAB AND ANOTHER
.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. L.S. Sidhu, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Ms. Prachi Gupta, Advocate,
for the complainant.

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 of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sandeep Kaur, aged about 42 years	78	02.05.2025	420 of IPC	Sadar Khanna	Ludhiana

2. On 12.06.2025, following order was passed:-

*“Contends, inter alia, that present dispute is of civil nature; but has been given the colour of criminal proceedings.
Notice of motion.*



Mr. Prit Inder Pal Singh, learned Addl. A.G., Punjab accepts notice on behalf of respondent No.1; seeks time to have instructions and/or to file written response in the matter.

Notice to respondent No.2 in due course.

Posted for 24.07.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but she be not arrested till the next date of hearing.”

3. As per the allegations in the FIR, an amount of Rs.9,50,000/- was paid by the complainant to the petitioner as earnest money in cash, with an agreement that the balance amount of Rs.50,000/- would be paid at the time of execution of the sale deed. The agreement in question was executed on 26.12.2023, and the date fixed for registration of the sale deed was 25.11.2024, i.e., after a period of approximately 11 months.

It is alleged that neither the sale deed of the house, built over an area measuring 21/4 biswas, was executed in favour of the complainant, nor the amount was returned.

4. Learned counsel for the petitioner contends that the property in question had been mortgaged with a bank, as the petitioner had obtained a loan of Rs.7,50,000/-. It is further argued that, as per the allegations themselves, the said loan was obtained after the execution of the agreement to sell dated 26.12.2023.

5. Learned counsel further places reliance upon the agreement to sell and submits that the same appears to be a concocted story by the complainant, as no amount of Rs.9,50,000/- was paid through cheque,



demand draft, or any bank transfer. It is argued that it does not appeal to common prudence that a person who allegedly paid such a substantial amount would neither obtain possession of the property nor secure the transaction through any verifiable mode of payment.

6. It is further submitted that, despite availability of remedies under the civil law, complainant in collusion with the police, has got the impugned FIR registered, merely to exert pressure upon the petitioner, who is a woman.

7. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 12.06.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

8. On the other hand, learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 14.06.2025 by the petitioner.

9. Learned counsel for the complainant submits that petitioner has duped the complainant of an amount of Rs.9,50,000/-.

10. However, upon a specific query put by this Court, no material has been produced to substantiate the plea regarding payment of the said amount towards the property for which the complainant intended to have the sale deed executed in his favour.

11. Heard learned counsel for the parties.

12. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated



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12.06.2025, passed by this Court is hereby made absolute. **Accordingly, present petition is allowed.**

However, 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. Accordingly, petition stands disposed of.

14. However, present order would be subject to the submission of passport of the petitioner 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.

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

(SANJAY VASHISTH)
JUDGE

24.03.2026

Lavisha

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