

2026:PHHC:087415



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

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**CRM-M-33654-2026 (O&M)
DECIDED ON: 12.06.2026**

SURINDER KAUR AND ANOTHER

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. R. Lohan, Advocate for the petitioner(s)

Mr. S.S.Chahal, AAG, Punjab.

Mr. Gurtej Sandhu, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of BNSS, 2023 praying for grant of Anticipatory Bail to the petitioner in FIR No. 59 dated 04.05.2026 (Impugned FIR) under Sections 318 (4) of BNS, 2023 registered at Police Station City Morinda, District Rupnagar.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the dispute involved in the present case revolves around the purchase of land of 1 Biswa 12 Biswas situated within the revenue estate of Morinda, Rupnagar vide registered sale deed

dated 16.05.2000, however, subsequently, fresh sale deed was executed on 12.11.2025 qua the same property according to the version of the FIR. He further argues that in fact sale deed dated 12.11.2025 was not with any fraudulent intent but after after having due orders from the Court dated 05.12.2025 (P-4) in civil suit by co-accused Bhushan Kumar said sale deed was executed, it is actually the earlier sale deed dated 16.05.2000 which was executed with the intent of cheat despite knowingly the fact that the petitioner has inherited property and on that basis alone before the civil court for the right to execute sale deed dated 12.11.2025 otherwise is also no fruitful purpose would be served by keeping the petitioner behind the bars as nothing is to be recovered from the petitioner.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. S.S.Chahal, AAG, Punjab, accepts notice on behalf of respondent/State. He along with learned counsel for the complainant opposes the prayer for grant of bail stating that the petitioners being the power of attorney holder of Damandeep Singh sold the shop to accused Bhushan Kumar vide sale deed dated 12.11.2025 but the said shop had already been purchased by Bhushan Kumar, Mohan Lal, Dharam Pal jointly from Sher Singh. Thereafter co-accused Bhushan Kumar by hatching a criminal conspiracy with the petitioners got registered the sale deed in his favour, thus the petitioner along with their co-accused Bhushan Kumar cheated the complainant. Therefore, it is prayed, that anticipatory bail prayed by the petitioner may kindly be dismissed.

3. **Analysis**

Be that as it may, the dispute in the present case essentially arises out of competing claims regarding the sale of property and execution of sale deeds. The allegations levelled by the complainant regarding conspiracy and cheating are

matters which would require appreciation of evidence during the course of trial. At this stage, the custodial interrogation of the petitioners does not appear to be necessary, as the dispute is primarily based upon documentary evidence relating to the property transactions and sale deeds.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioners, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under subsection (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

12.06.2026
anuradha

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