



CRM-M-52998-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on: 25.02.2026

Shindo alias Chhindo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ankur Mittal, Sr. Advocate with
Ms. Kushardeep Kaur Manchanda, Advocate,
Mr. Sakal Sikri, Advocate and
Mr. Aryaman Nain, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG Punjab

Mr. Gurnoor Singh Sethi, Advocate
for the complainant

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.229 dated 05.08.2025, under Sections 316(2), 318(4) and 3(5) of BNS, 2023 at PS Rama Mandi, District Police Commissionerate, Jalandhar.

2. On 25.09.2025, following order was passed:

“(i) 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:



<i>Name of Petitioner(s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Shindo @ Chhindo, aged about 69 years</i>	<i>229</i>	<i>05.08.2025</i>	<i>316(2), 318(4) and 3(5) of BNS</i>	<i>Rama Mandi</i>	<i>Police Commissionerate, Jalandhar</i>

2. As per the facts of the case, there are total five accused involved, i.e. (1) Sohan Lal(petitioner herein), (2) Shindo alias Chhindo , wife of Sohan Lal, (3) Ram Parkash, brother of Shindo, (4) Amar, son of Sohan Lal, and (5) Narinder Kumar (property dealer). Complainant, Swarn Singh, is the purchaser of a plot measuring 25 x 75 feet, i.e., 207 square yards. The property was purchased through a registered sale deed dated 23.01.2025 for a total sale consideration of Rs.48,26,924/-.

Columns 11, 12, and 13 of the "Details of Sale" section and “Details of Payable” section, mentioned in the sale deed dated 23.01.2025, are reproduced here under:-

	<i>11. Area (as per share)</i>	<i>Plot is 25 yards x 75 yards (length x breadth). The area is 75’ x 70’, which is 5250 square yards. The total area is 207 square yards</i>	
	<i>12. Details of land/plot/house/sh op boundaries</i>	<i>East</i>	<i>Mangat Ram and Gurmukh Singh</i>
		<i>West</i>	<i>Road</i>
		<i>North</i>	<i>Sanjeev Kumar</i>
		<i>South</i>	<i>Road</i>
	<i>13. Details of ownership</i>	<i>The ownership and possession have been transferred as per Mutation Number 2019-20/186/1/12207, dated 25-02-2020, through the Sub-Registrar, Jalandhar, without any dispute.</i>	
<i>Details of Payable</i>	<i>Total Amount</i>	<i>Rs.43,15,000/-</i>	

3. From the contents of the FIR and the subsequent inquiry, it emerges that wife of petitioner namely Shindo alias Chhindo held a share in the land by way of inheritance, which she had acquired along with her brothers, namely Ram Kishan and Ram Murti. She was the owner of 7 kanal 5 marla of land. Prior to the execution of the sale deed dated 23.01.2025, she had transferred a portion of her share, measuring 6 kanal 7.5 marla, in favour of her husband, Sohan Lal-petitioner. However, when the complainant visited the site on the basis of the said sale deed, it was discovered that the land was already under the possession of



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another shareholders namely Sarabjit, and Shubham, both of whom are wards of Ram Kishan (brother of petitioner’s wife). Their possession was claimed based on a document dated 29.07.2020 (Annexure P-6), which, as pointed out by counsel for the petitioner, is not a sale deed, rather a transfer deed.

4. It is also an undisputed fact that civil litigation, i.e. CS-627-2024, pertaining to the partition of property among the sisters, brothers, and other co-sharers was already pending. However, this material fact was not disclosed in the sale deed dated 23.01.2025 (Annexure P-4). Notably, clauses 4 and 5 of the said sale deed contain the following recitals:-

4.	Rural/Urban	Rural
5.	Consideration Amount	Rs.43,15,000/-
Details of Seller(s)	1. Name and address of seller	Sohan lal son of Sh. Kartara Ram son of Sh. Gulab resident of village and post office Mehtan tehsil Phagwara district Kapurthala
	2. Mobile No.	78374-08041
	3. Adhaar No.	6701-0554-1784
	4. PAN Card No.	ALMPL8991Q
Details of Identifier	1. Name and address	Resham Pal Singh Bitta son of Sh. Harbans Pal Singh (Numberdar)
	2. Mobile No.	97818-53101
	3. Adhaar Card/I.D. Card no.	93
Details of Purchaser(s)	1. name and address of Purchaser	Sarvan Singh son of Sh. Balwant Singh son of Sh. Narain Singh resident of House No.A-223/221/222, Surya Enclave, Jalandhar
	2. Mobile no.	98157-10264
	3. Adhaar Card No.	8533-1907-5317
	4. PAN Card No.	BMFPS0850N
Details of Witness(s)	1. Name and address	Baljinder Singh son of Sh. Kartar Singh resident of House No.314-S, Surya Enclave, Jalandhar
	2. Mobile No.	70094-23947
		7205-0294-9455



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	3. Adhaar Card no.	
Details of Sale	1. Name of Village and details of Colony	Area Abadi Ekta Nagar, Chugiti Jalandhar City
	2. Hadbast No.	307
	3. Rural/Urban	Rural
	4. Class of Land (Type Including Chahi/Barani etc.)	Plot
	5. Is the Plot vacant or not?	Vacant
	6. How much covered area is constructed	All types of land, all types of internal and external rights, all types of 'Haq' are included
	7. No. Of Floors, First/Second/Third	Vacant
	8. Is the Area inside Lal lakir or outside	Outside
	9. Under cultivation or not	Not
	10. Khewat No./Khatauni No./Khasra No.	As per Jamabandi for the year 2009-2010, Hadbast No.307, Khewat/Khatuani No.3299/3864, 3300/3865, Khasra No. 17405/8524, 8527, 19513/8528 to 8530, 8531, 19514/8532 to 8535, 8536, 19516/8537, 8538, 19517/8539, 8540, 19512/8528 to 8530 are included
	11. Area (as per share)	Plot is 25 yards x 75 yards (length x breadth). The area is 75' x 70', which is 5250 square yards. The total area is 207 square yards
	12. Details of land/plot/house/shop boundaries	East Mangat Ram and Gurmukh Singh
		West Road
		North Sanjeev Kumar
		South Road
	13. Details of ownership	The ownership and possession have been transferred as per



		<i>Mutation Number 2019-20/186/1/12207, dated 25-02-2020, through the Sub-Registrar, Jalandhar, without any dispute.</i>
<i>Details Payable</i>	<i>of Total Amount</i>	<i>Rs.43,15,000/-</i>

5. *At this stage, learned counsel for the petitioner refers to the memo of parties in the partition suit (Annexure P-7) and submits that complainant, Swaran Singh, has already been impleaded as one of the defendants, specifically at serial No. 26 in the list of defendants.*

Based on this, counsel for the petitioner argues that if any sale has been executed, it was done by the petitioner's husband, Shan Lal, and in the even tof any alleged default, fraud, or cheating, petitioner can nto be held liable. She neither signed the sale deed dated 23.01.2025 (Annexure P-4) nor she was a witness to it.

6. *On being asked by the Court, counsel for the petitioner does not dispute the factual position that brothers of wife of petitioner , Ram Kishan and Ram Murti, along with Sohan Lal (the seller), still hold some share in the disputed land. It is further submitted that, if necessary, complainant Swaran Singh may be accommodated by providing some other chunk of the land, considering joint nature of the property, an aspect, which was already within the complainant's knowledge.*

7. *Counsel for the petitioner further submits that the entire controversy hinges on documentary evidence, and custodial interrogation of the petitioner would serve no useful purpose for the prosecution. The matter essentially concerns the question of shareholding among co-owners or specific possession over joint land, an issue which is already the subject matter of ongoing civil litigation and is best resolved through that process. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

8. *Notice of motion.*

9. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Gurnoor Singh Sethi, Advocate, puts an appearance on behalf of the complainant.*

10. *Adjourned to 15.12.2025.*

11. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the*

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petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

12. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he 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. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 25.09.2025, the petitioner has joined investigation.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 24.10.2025 and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Learned counsel for the complainant has vehemently opposed the prayer and submits that complainant has been cheated and defrauded by the petitioner and, therefore, they should not be extended any concession. He further submits that an amount of Rs. 58 lacs is to be recovered. Regarding civil suit, he submits that, though he was made party but not got properly served by the petitioner.

6. I have considered the submissions addressed by learned counsel for the parties. It appears that the allegations need to be proved by the prosecution, entirely on the basis of documentary evidence and for that custodial interrogation of the petitioner is not required. The criminal case proceedings can not be meant

for effecting recovery of the amount, which might have been received by the



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accused party. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 25.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. 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.

8. 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.

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

25.02.2026
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(SANJAY VASHISTH)
JUDGE

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