



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

112

CRM-M-73121-2025 (O&M)

Date of decision: 18.03.2026

Jatinder Kaushik

...Petitioner

VERSUS

State of Punjab

..Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. A.S. Dhindsa, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr.DAG, Punjab.

None for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-2889-2026

The present application has been filed for impleadment of complainant-Bipen Kumar Shukla, son of Kishan Chand, resident of Serian Wala Mohalla, Bathinda in the main petition.

For the reasons mentioned in the application, the same is allowed and applicant- Bipen Kumar Shukla, son of Kishan Chand, resident of Serian Wala Mohalla, Bathinda is impleaded as complainant for the purpose of pursuing the instant petition only.

Amended memo of parties taken on record.

Registry is directed to do the needful.

Main case

The instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No.249 dated 30.08.2025 registered under Sections 420, 465, 467, 468, 471 of Indian Penal Code, 1860 at Police

Station Civil Lines, Bathinda.

2. Learned counsel for the petitioner *inter alia* contends that pursuant to the order dated 12.02.2026 passed by this Court, the petitioner has joined investigation and is no longer required for investigation of the case.

3. Learned State counsel on instructions, corroborates the said averment and submits that the custodial interrogation of the petitioner is not required for the purpose of investigation.

4. I have heard learned counsel appearing for the respective parties and have gone through the documents appended alongwith the present petition.

5. At the outset, it is apposite to refer to order dated 12.02.2026 passed by this Court. Relevant part thereof reads as under:

“2. An FIR has been registered against the petitioner and co accused Jagmeet Singh and Jaspreet Singh Sandhu based on a complaint by Bipan Kumar Shukla and others alleging fraudulent registration of sale deeds. The complainants claim they have been the lawful owners and in possession of the disputed property for the past 65 years. It is alleged that on 25.04.2024, the accused fraudulently registered four sale deeds (Nos. 1102 to 1105) by impersonation and manipulation of facts, using false documents to show the land as belonging to them. The petitioner is stated to be the General Power of Attorney holder of one vendee, Nirmala Rani, who allegedly has no connection with the complainants' land. The sale deeds falsely recorded delivery of possession, although the complainants were in actual possession. The land had been leased to SBI, which was vacated on 31.05.2024, while the ATM lease continued until 03.09.2024.

3. Learned counsel for the petitioner contended that Nirmala Rani (mother of the petitioner) filed civil suit against

Gurdit Singh @ Guraditta Singh on the basis of agreement to sell dated 24.06.2005 for specific performance and permanent injunction and the suit was decreed vide judgment and decree dated 09.01.2014 and held that plaintiff (Nirmal Rani) is entitled to specific performance of the agreement to sell dated 24.06.2005 and the defendant (Gurdit Singh) was directed to execute the sale deed within three months from the date of decree failing which the plaintiff would be at liberty to get the sale deed executed through the court of law. Thereafter, Nirmal Rani filed execution application on the basis judgment and decree dated 09.01.2014 and the Hon'ble Court executed registered sale No. 4057 dated deed 16.08.2017 (Annexure P-2) through Local Commissioner appointed by the trial court for 18 Biswas i.e. 1/4th share of total land as per Jamabandi for the year 2012-13 situated at Patti Mehna, Bathinda; as per the above said sale deed (Annexure P-2), Nirmala Rani was the owner of land in question and she executed a General Power of Attorney in favour of her son (the present petitioner), and petitioner accordingly, transferred the said land through four different sale deeds on 25.04.2024 to Harcharan Singh Sandhu, Jaspreet Singh Sandhu, Lakhpreet Singh Brar. It is further contended that the present case is based on documentary evidence and he is not required for any custodial interrogation for the recovery purpose. Learned counsel prayed for anticipatory bail as the petitioner is ready to join the investigation.

4. *Notice of motion.*

5. *Mr. Anup Singh, AAG, Punjab, who is present in Court accepts notice on behalf of the respondent-State and by way of filing of reply dated 11.02.2026 opposes the grant of anticipatory bail to the petitioner on the ground that the concerned Patwari and field Kanungo had submitted their report dated 27.11.2017 the Ld. Civil Court, Bathinda, whereby it was stated that Nirmal Rani @ Nirmla Rani had no physical*

possession, rather she has symbolic possession. Ultimately, an inquiry was conducted and it was concluded that the petitioner had mentioned the incorrect details of the complainant's property instead that of his mother's property in order to grab property of the complainant illegally, while executing the sale deeds no.1103,1104 & 1105 dated 25.04.2025.

6. On the other hand, learned counsel for the complainant contended that the complainants are the lawful owners and are in possession of property in dispute for the last 65 years.

7. On a query posed by this Court, learned counsel for the State seeks an adjournment to file specific reply. Permitted to do so.

8. In the meantime, the petitioner is directed to join the investigation as and when required by Investigating Officer. In the event of his arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of investigating/arresting Officer subject to the conditions as envisaged under Section 482(2) of the BNSS (erstwhile Section 438(2) Cr.P.C.), till the next date of hearing.”

6. A perusal of the above shows that the Co-ordinate Bench of this Court upon due consideration of the submission advanced on behalf of the petitioner, the respondent-State as well as the complainant had granted interim protection to the petitioner. The objections raised by the complainant were specifically noticed and considered by this Court while passing the said order. The Co-ordinate Bench, after adverting to the facts, the nature of allegations and the attendant circumstances that the case was primarily based on documentary evidence, found it appropriate to extend the concession of interim bail to the petitioner, subject to his joining the investigation as and when required.

7. A perusal of the status report filed by respondent-State does not disclose any material to indicate that the petitioner is a habitual offender or that he is engaged in any organized criminal act of similar nature. It is also of significance that learned State Counsel, upon instructions, has fairly submitted that the petitioner has joined the investigation and that his custodial interrogation is no longer required. In such circumstances, where the investigation can effectively proceed without the necessity of custodial detention and the case rests predominantly on documentary evidence, no useful purpose would be served by curtailing the liberty of the petitioner.

8. In view of the aforesaid and in absence of any material to suggest that the petitioner is likely to abscond, tamper with the evidence or influence witnesses, the present petition is *allowed* and the interim order dated 12.02.2026 is made absolute.

9. However, if required, the petitioner(s) shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 482 (2) BNSS.

(VINOD S. BHARDWAJ)
JUDGE

18.03.2026

Sumit Gusain

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