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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-74164-2025

Date of decision: 27th January, 2026

Gurmeet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajat Dogra, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Lupil Gupta, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 312 dated 13.12.2025 registered under Section 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Canal Colony, Bathinda, District Bathinda.

2. The aforementioned FIR was registered on the basis of a written complaint got submitted by the complainant Baljinder Kaur alleging that she had entered into an agreement dated 03.02.2025 to purchase a house measuring 120 sq. yards with the accused Jaspreet Singh. The sale consideration amount was fixed to be rupees fifteen lakhs out of which she

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had given an amount of rupees nine lakhs to the accused Jaspreet Singh at the time of execution of agreement to sell. Subsequently, she came to know that accused Jaspreet Singh had already sold the above said house to one Hardev Singh on 19.08.2024. The complainant alleged that the petitioner, who is mother of the co-accused Jaspreet Singh and the latter, had induced her to part with the aforementioned amount of money for purchasing their property on the basis of old *jamabandi* entries in order to deceive her and to cause wrongful loss to her. Hence, she prayed for taking action against them. After registration of FIR, investigations proceedings have been initiated and are underway. Apprehending her arrest, the petitioner moved an application for grant of anticipatory bail which was dismissed by learned Additional Sessions Judge, Bathinda vide order dated 23.12.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case only because of the fact that she is mother of co-accused Jaspreet Singh. She was only a witness to the agreement between the parties. She is an old aged lady suffering from several ailments and has not played any role. No transaction of money has taken place in her favour. No money was transferred in her bank account. She is not even owner of the property in dispute. The ingredients for commission of subject offences are not attracted qua her. It is, therefore, argued that she deserves to be released on bail.

4. Memo of appearance on behalf of the complainant has been filed. Status report has been filed by respondent-State. Learned State counsel

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assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner, who was an attesting witness to the agreement to sell and who, with a dishonest intention to cheat the complainant, had signed the agreement to sell in question as an attesting witness despite fully knowing the fact that the subject property had already been sold to some other person by the co-accused who is none other than her real son. Her complicity in the crime is prima facie established. For conducting thorough investigation, her custodial interrogation is required. No exceptional or extraordinary circumstance is even otherwise made out in her favour for granting benefit of bail to her. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner was admittedly an attesting witness to the agreement to sell executed by her son-Jaspreet Singh in favour of the complainant for sale of a property which had already been sold. The petitioner being mother of the co-accused, cannot be assumed to be unaware regarding the fact that the property in question was already sold. Her connivance in the entire transaction which led to causing loss to the tune of Rs. 9 lakhs to the complainant is prima facie established. For the purpose of conducting thorough and proper investigation, the petitioner is required to be interrogated. The case is at its nascent stage. In case her custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby

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adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th January, 2026
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No