

SINDER KAUR VS STATE OF PUNJAB

Present: Sh. Gaurav Bansal, Advocate for applicant/accused.
Sh. Sumit Malhotra, Addl. Public Prosecutor for the State
alongwith SI Gurmeet Singh.

Upon notice, Sh. Sumit Malhotra, Addl. Public Prosecutor put appearance on behalf of respondent/State and contested the bail application.

2. Heard. This is an application u/s 438 Cr.P.C. seeking pre arrest bail moved on behalf of bail applicant Sinder Kaur w/o Sher Singh in FIR no. 132 dated 11.10.2021 under sections 420/120B IPC registered at police station Bhadson, District Patiala.

3. Vide letter dated 5.8.2020 issued by Executive Officer, Nagar Panchayat, Bhadson NDC No.707 dated 16.7.2020 was cancelled by alleging that the same was obtained on the basis of a wrong self-declaration and by attaching wrong site plan. In this regard, Gurwinder Singh complainant made complaint dated 3.12.2020 alleging that the abovesaid Shinder Kaur had shown boundaries of his plot to get NDC for raising construction but subsequently transferred the said plot in the name of her daughter Gurpreet Kaur, upon which DSP City conducted an enquiry and on the basis of the enquiry present FIR was registered.

It was further found that the said plot was originally purchased by Inder Singh, grandfather of complainant Gurwinder Singh.

4. Learned counsel stated that the plot, subject matter of the sale deed/transfer deed does not belong to the complainant. Gurpreet Kaur daughter of Sher Singh (daughter of present applicant Shinder Kaur), has since moved Civil Court by filing civil suit for permanent injunction. Complainant Gurwinder Singh has also filed a suit for permanent injunction against Gurpreet Kaur. Learned counsel submitted that FIR was lodged with political pressure especially when Gurwinder Singh failed to get any relief from the Civil Court.

5. Having heard the learned counsel, I found that the Offence, if any is based upon documents for which custodial interrogation of the bail applicant is not indicated. Consequently, arrest of applicant-accused is

stayed and accused-applicant is directed to appear and surrender before the investigating officer within three days. On her doing so, she shall not be arrested and rather the Investigating officer shall admit her to bail on furnishing bail bonds to his satisfaction, subject to usual conditions.

Bail application is adjourned to 9.11.2022 for further consideration.

Date of order

12.10.2022

Sanjeev Kumar, Stenographer Gr.I

Tarsem Mangla

Sessions Judge

Patiala. (UID No.PB0049)