

Kulwant Kaur vs. State

IN THE COURT OF ANSHUL BERRY,  
ADDL. SESSIONS JUDGE, MOHALI.

CNR no. PBSA010047972018

UID No. PB-0095

**CIS No. BA/2750/2018**

BAIL APPLICATION NO186 dated 17.7.18

DECIDED ON : 26.07.2018

Kulwant Kaur, wife of Tarlochan Singh, aged about 63 years, resident of  
village Balongi, SAS Nagar.

..... Applicant-accused

Vs.

State of Punjab

..... Respondent

**Application for grant of bail u/s 438 Cr.P.C**

.-.-.-.-.-

FIR No.67 dated 11.7.2018

U/s 420/120B IPC

PS. Balongi

Present: Sh. Amandeep Singh Adv. counsel for the bail applicants.  
Sh. Dilpreet Singh, learned Addl. P.P. for the State  
assisted by Sh. Ranjit Singh Rai Advocate

**ORDER**

1. The present bail application has been filed by the bail applicant-accused for anticipatory bail under Section 438 Cr.P.C.
2. Brief facts of the prosecution case are that as per complainant, accused Tarlochan Singh and his wife Kulwant Kaur are already known to him for last ten years. In the year 2014, both above accused came to complainant and told complainant that they are in need

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of money and you should buy their shops. In August, 2015, in presence of Jaswinder Singh and Ramesh Kumar, Kulwant Kaur and Tarlochan Singh told that they have not sold their shops to anybody else and complainant should purchase them. Complainant paid Rs. 7 lakh in cash to the accused persons and accused took time for execution of sale deed as some construction work was going on. Later on, sale deed was executed in favour of complainant. After some time accused, took the keys of shop by saying that some work in the shops is pending. After some time complainant visited his shop and found that tenants were sitting in the shop. Then, it came to the knowledge of complainant that initially, vide sale deed no. 2451 dated 26.11.13, accused had sold the shop to Gurcharan Singh and Anhadbir Singh and later on accused again sold the shop to complainant. Hence, accused committed cheated and forgery with complainant.

3. Notice of bail application was given to respondent who appeared and filed reply. Learned Addl. PP also appeared and opposed the bail application by submitting that complainant is a senior citizen and accused had dishonest intention right from beginning as accused were fully aware that they had already sold the shop to Gurcharan Singh and Anandbir Singh. Offences are serious in nature. In the end, it is prayed that bail application may kindly be dismissed.

4. On the other hand, learned counsel for bail applicant argued that that the applicant-accused has not committed any offence. He is ready to join the investigation and prayed that bail application may kindly be

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allowed.

5. After hearing learned PP for State, learned defence counsel and going through record, I find that bail applicant alongwith her husband cheated the complainant after selling two shops to Gurcharan Singh son of Mehar Singh, Harjot Singh son of Gurcharan Singh , Anhadbir Singh Sidhu son of Sukhdev Singh through registered sale deed dated 26.11.2013. Bail applicant alongwith her husband assured the complainant that the two shops are free from all sort of encumbrances and persuaded the complainant to purchase the said shops and again sold the shops to complainant. Complainant paid Rs. 7 lakhs in cash to bail applicant . In this way, bail applicant alongwith co accused has cheated the complainant and comitted forgery with complainant. Custodial interrogation of bail applicant is required. FIR has been registered by name against the bail applicant . Hence, the bail applicant doesnot deserve the leniency of bail and same stands dismissed.

Record be returned. File be consigned to the record room.

PRONOUNCED

26.07.2018

Jyotsna

(ANSHUL BERRY)  
ADDITIONAL SESSIONS JUDGE/  
SAS NAGAR (MOHALI)  
UID NO. PB-0095

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Present: Sh. Amandeep Singh Adv. counsel for the bail applicant.

Sh. Dilpreet Singh, learned P.P. for the State

assisted by Sh. Ranjit Singh Rai Advocate

Record received. Arguments heard. Vide my separate detailed order of even date, the bail application is dismissed.

Record be returned. File be consigned to Record Room.

PRONOUNCED

26.07.2018

Jyotsna

(ANSHUL BERRY)  
ADDITIONAL SESSIONS JUDGE/  
SAS NAGAR (MOHALI)  
UID NO. PB-0095