

Present: Sh. Gurbachan Lal Gagneja Advocate, counsel for accused/applicant.

Ld. APP for the State.

This order of mine shall dispose of the bail application filed on behalf of accused/applicant Mandeep Kaur on the averments that accused has been got arrested by the police in the above noted case on 24.07.2025 and sent to judicial custody on 28.07.2025. The accused has not committed any offence as alleged in the FIR. No recovery has been effected from the accused. Accused has been falsely implicated in the present case and applicant/accused is no more required by the concerned police for further investigation. It is further stated further custody of applicant will not serve any useful purpose. Statement of IO ASI Karamjit Singh also recorded.

On the other hand, Ld. APP for the state appeared and orally opposed the bail application on the ground that accused had committed fraud with the complainant by entering into forged and fabricated agreement to sell of his property. She along with her husband had committed fraud worth rupees in crores and cheated the innocent persons. Therefore, the bail application of the accused be dismissed.

Heard. After hearing the rival submissions made by counsel for the accused/applicant as well as Ld. APP for the state and perusing the court file minutely, this Court opined that in this case, agreement to sell of her property was entered between accused and the complainant. The suit property is still existing in the name of complainant though the stipulated period for the registration of sale deed is expired. **As per our own Hon'ble High Court judgment cited as "Deegh Ram vs Sheo Narain @ Sheo Narain 2015 (1)RCR(criminal) 960" "agreement to sell and breach of contract is a civil dispute- no criminal offence of cheating is made out."** In view of the law laid down by our own Hon'ble High Court judgement, it is a matter of evidence whether the litigation is a civil litigation or a criminal litigation. At this stage, presentation of challan and its conclusion will take considerable time, so no useful purpose will be served by keeping the accused in

jail for more period. As such, accused Mandeep Kaur is admitted to bail on furnishing his bail bonds in the sum of Rs. 2,00,000/- with two sureties in the like amount, subject to the following condition:-

1. That accused will not misuse the concession of bail.
2. That accused will appear on each and every date of hearing.
3. That accused will not leave the country without prior permission of the court.

Bail/surety bonds not furnished. Application stands disposed off and be attached with the main file.

Date of order: 13.08.2025
Ritu
Stenographer-II

(Balwinder Kaur Dhaliwal)
SDJM/Jgn.
(UID-PB0286)