

**IN THE COURT OF POONAM BANSAL
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

BA-3442-2025
CNR No.PBGD01-007523-2025
DECIDED ON :24.10.2025

Santosh Kaur Versus State of Punjab

FIR No. 173 dated 28.06.2025
Under Section 420 IPC
P.S.Dinanagar

Application under Section 482 of BNSS

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Present: Sh. J.S.Randhawa, Advocate counsel for applicant-accused
Shri Vikram Kashyap Addl. PP for the State assisted by
Sh. Rajesh Chohan Advocate, counsel for the
complainant.

ORDER

1. This order of mine shall dispose of an application having been filed by applicant-accused **Santosh Kaur** seeking bail in view of provisions of Section 482 of BNSS in the above noted case.
2. Notice of the application was issued to the State and police record produced. Sh.Rajesh Chauhan Advocate appeared on behalf of the complainant.
3. Learned counsel for the applicant/accused has argued that the applicant is innocent and has been falsely implicated in the present case on the complaint of Retesh Kumar Salhotra. The applicant/accused is 62 years old. She was owner in possession over land measuring 2 Kanal 3 Marlas situated in the revenue estate of village Deeda. The applicant/accused was in need of money for sending her son abroad.

Therefore, she borrowed amount of Rs. 3 lakh from complainant. When she could not repay the above said money within stipulated period, the complainant forced her to execute sale deed of above mentioned land in his favour and accordingly, the applicant executed sale deed dated 20.06.2024 in favour of the complainant and delivered possession of the same. However, when the complainant approached Patwari Halqa for entering mutation on the basis of above said sale deed and the Halqa Patwari told the complainant that the plot in dispute has already been sold. Then the complainant moved application to SSP Gurdaspur and during the inquiry, it was found that earlier the accused sold this plot to one Balwinder Singh who is nephew of the accused vide registered sale deed dated 20.07.2022 and no mutation was entered on the basis of above said sale deed, nor possession of the land was ever delivered by the applicant to Balwinder Singh. In fact, the complainant never executed alleged sale deed dated 20.07.2022 in favour of Balwinder Singh with her free will and accord. The applicant/accused has borrowed certain amount from Balwinder Singh and Balwinder Singh took the applicant/accused to Tehsil Complex with a view to get document regarding borrowing of the above said money but he got executed and registered the alleged sale deed with the connivance of scribe and witnesses etc fraudulently. There is delay of one year in lodging the present FIR, which is also fatal to the prosecution. All the documents are already in custody of the police and the applicant/accused is not required for any recovery. Applicant/accused

is ready to join the investigation, as such her custodial interrogation is not required. Accordingly, he has prayed for concession of anticipatory bail to the applicant.

4. On the other hand learned Additional PP for the State and Sh. Rajesh Chohan Advocate, appeared on behalf of complainant have opposed the bail application and prayed for its dismissal.

5. Rival contentions of both the sides have been heard and the record perused with due care and circumspection.

6. Perusal of the record reveals that the present FIR has been got registered on the application/complaint moved by complainant Ritesh Kumar Salhotra who stated therein that applicant/accused Santosh Kumari told him that she is owner of the plot and want to sell said plot measuring 2 K 3 Mls situated at village Dida, H.B No.289, Khasra No.14R 13(8-0), 17/3(5-0), kitte 2, 1/6 share out of area (13-0) and she also showed him Jamabandi relating to said plot in which her name was mentioned in the ownership column and she also took him at the spot and shown him the plot in question. She further told him that she required money for her son who is going abroad. Thereafter on 2.6.2024, Santosh Kaur applicant/accused executed sale deed in his favour before Ajay Kumar, Joint Sub Registrar, Dinanagar, Shivraj Singh, Namberdar, Village Awankha, Dinanagar and Surabh Kumar son of Bal Krishan resident of Dinanagar and received Rs.6,00,000/- from him. After the execution of sale deed, he came to know that applicant/accused sold him plot in

question third time when Halqa patwari refused to enter the mutation of the sale deed executed in his favour. Ajay Kumar Joint Sub Registrar and Halqa patwari also involved in the fraudulent act of applicant/accused because they did not enter previous record of sale deeds in the revenue record and shown Santosh Kaur as owner of the said plot. Shiv Raj Namberdar and Surabh Kumar also told him that applicant/accused is owner of the plot in question. All the aforesaid persons with malafide common intention and with pre planning to grab his hard earned money Rs. 6 Lakh committed fraud with him and helped applicant/accused Santosh Kaur to sell plot in question in a fraudulent manner. After investigating into the matter thoroughly, the present FIR was registered against applicant/accused.

7. Applicant/accused has been specifically named in the FIR. As per record, the applicant/accused has already transferred the plot in question in favour of her nephew Balwinder Singh on 18.07.2022. Thereafter in order to grab money from complainant, she again executed sale deed on 2.6.2024 in favour of complainant Ritesh Kumar Salhotra before Ajay Kumar, Joint Sub Registrar, Shivraj Singh, Namberdar, and Surabh Kumar son of Bal Krishan and also received Rs.6,00,000/- from him. In that way, the applicant/accused has committed fraud with complainant by executing sale deed of the plot in question which has already been sold by her to her nephew Balwinder Singh. FIR in question has

been registered under Section 420 IPC after through investigation. Offence against the accused are serious in nature. Thus, a thorough probe is required into the matter for which custodial interrogation of the applicant is required. Hence, this court is of the considered opinion that there are direct and serious allegations against the applicant and no ground for grant of anticipatory bail to the accused/applicant is made out. The court is of the opinion that granting anticipatory bail to the accused at this stage would rather hinder the process of investigation. Accordingly, the instant bail application filed by the applicant stands dismissed. File be consigned to the record room.

However, observations made above are only for disposal of this bail application and would have no bearing on merits of the case. Record of the case be returned and file of bail application be consigned to the Record Room.

Pronounced
Dated:24.10.2025
Prem Kumar, Stenographer-II

(Poonam Bansal)
Addl. Sessions Judge,
Gurdaspur/PB00190

