

State Vs. Karamjit Kaur BA NO.1789 2025.

Present: Sh. Pankaj S Abharwal, Advocate, Counsel for applicant-accused
Sh. Harpal Singh, Additional PP for the State

1. Heard on the anticipatory bail application of applicant-accused **Karamjit Kaur** in FIR No.219/2020, u/s 420, 465, 467, 468, 120-B IPC, P.S. Civil Lines, Amritsar.

2. Briefly relevant facts of the case are that a complaint has been filed by complainant Darshan Singh against various persons including Jarnail Singh, Manjit Kaur, Karamjit Kaur applicant-accused, alleging that they all created a forged and fabricated court-decree and defrauded complainant and got remarriage done. Complainant alleged that Jarnail Singh is having three daughters, namely Manjit Kaur, Baljit Kaur and applicant-accused Karamjit Kaur. The eldest Manjit Kaur is married to Sukhchain Singh. Thereafter, Manjit Kaur went to USA, alongwith Sukhchain Singh. In year 2002, Karamjit Kaur, another daughter, got married with Avtar Singh, resident of Canada at Amritsar. Thereafter Karamjit Kaur did not like Avtar Singh and refused to go alongwith Avtar Singh at Canada. Thereafter, all these accused, hatched a conspiracy. Jarnail Singh was gang leader of this conspiracy. They planned to send Karamjit Kaur to USA by misrepresenting the documents. Jarnail Singh, Manjit Kaur and Sukhchain Singh, got married said Karamjit Kaur to one Mohammad Nabi Tokhi, who was working in store of Sukhchain Singh in USA. Thereafter they tried to get divorce of Karamjit Kaur and Mohammad Nabi to get Karamjit Kaur married

somewhere else. For this purpose, Jarnail Singh got prepared a forged and fabricated Indian court decree of divorce, in which it was attempted to be shown that Karamjit Kaur got divorced from Avtar Singh. This divorce judgment dated 4-8-2020 was shown to be passed by the court of Sh.B.S.Randhawa, Additional District and Sessions Judge, Amritsar. In fact, this was purely a forged and fabricated court decree, as in the court record, no such divorce exist. Complainant got copy of this judgment and decree from Jarnail Singh, which he annexed with the complaint. Police inquired the matter and found that no such court decree was actually passed and nominated various persons as accused in the case. Now in connection with that case Karamjit Kaur is wanted by the police.

3. Applicant-accused claimed that she is presently residing in the USA and intends to come to India. However, lookout notice has been issued against her. False FIR has been got registered as complainant has enmity to implicate the family of accused on one ground or another. There is a considerable delay of three to nine years, which is not explained by the police. Actually, there was a dispute of 10,000 dollar in USA as applicant stood to surety for her cousin brother, namely Avtar Singh, son of complainant. When that amount was demanded back, under the grudge, the present FIR was got lost.

4. Learned Addl.P.P however submitted that applicant-accused is not saying anything about the decree. She is not denying any fact that she never got married with Mohammad Tafi. That marriage was not possible unless a proper court divorce decree is passed by Indian court.

False decree was prepared, which is forged and fabricated. Since applicant is the main beneficiary of such forged and fabricated decree, she is a clear culprit and custodial interrogation is needed.

5. Counsel for the applicant firstly tried to submit that this court decree was actually supplied by the complainant and claimed that actually there was some other court decree, which they will produce. Thereafter, despite giving opportunity that court decree was never produced.

6. After considering the rival submissions, this court is of the opinion that applicant-accused is not entitled for discretion of anticipatory bail. Irrespective of dispute of the complainant with the family of the accused, the court is to see whether prima-facie any offence has been committed and whether the same requires deeper investigation and custodial interrogation or not. It has emerged that applicant is the beneficiary of a divorce decree, which she obtained from Avtar Singh. Till date, applicant has not been able to satisfy by what decree she got divorced from Avtar Singh to re-marry with another person in USA. It prima facie establishes that some court decree was forged. Since applicant is the main beneficiary, conspiracy angle is clearly attributable to her. Preparing forged court document is quite a big fraud and cannot be taken lightly. For going deeper into the facts of the case, custodial interrogation seems necessary as such attempt is clear obstruction in administration of justice. So this is not a fit case where discretion of anticipatory bail needs to be exercised in favor of applicant-accused. So instant anticipatory bail application is without any merit and is dismissed. The file of bail

application be consigned to the record room.

Pronounced.
Dated:9.4.2025.
(Anil JW)

(Shatin Goyal)
Additional Sessions Judge,
Amritsar.
(UID No. PB0157)