

**IN THE COURT OF PRIYA SOOD,
(Unique Identification No.PB 0065)
SESSIONS JUDGE,
SHAHEED BHAGAT SINGH NAGAR.**

Bail Application No.	588 of 2025
CIS No	BA/1577/2025
CNR No.	PBSB01-005069-2025
Date of Institution	06.10.2025
Date of Order	29.10.2025
Next Date of hearing	06.11.2025

Anoop Kumar, son of Anil Kumar, son of Ved Parkash, aged 48 years, resident of 462, Adarsh Nagar, Nawanshahr, PS City Nawanshahr, District Shaheed Bhagat Singh Nagar.

....Applicant-accused

Versus

State of Punjab

....Respondent

FIR No.	:	200
Dated	:	11.09.2025
Under Section	:	420 IPC
Police Station	:	City, Nawanshahr District SBS Nagar

First Bail Application under Section 482 of B.N.S.S.

Present: Sh. Rajan Sareen, Advocate for applicant-accused.
Sh. Ashok Kumar, Addl. Public Prosecutor for the State.
Sh. Navneet Sareen, Advocate for complainant.

O R D E R:

1. Vide this application, applicant-accused, has sought her pre-arrest bail in FIR No.200 dated 11.09.2025, under Section 420 of IPC, Police Station City, Nawanshahr.

Priya Sood (PB 0065),
Sessions Judge,
Shaheed Bhagat Singh Nagar.
29.10.2025

Bail Application No.588 of 2025

2. Notice of the bail application was given to the State, pursuant to which learned Addl. Public Prosecutor has put in appearance. Police record received. As reported by the learned Addl. Public Prosecutor for the State no other bail application of applicant-accused is pending in any other court of law including Hon'ble High Court.

3. Applicant-accused, has been booked in the present FIR, on the basis of application no.575-Peshi, dated 17.05.2025, moved by complainant Simranjit Singh Kang, son of Bhupinder Singh, resident of village Kharkuwal, Tehsil Nawanshahr, against Anoop Kumar, son of Anil Kumar, alleging therein fraudulent sale of tube well connection of Baljinder Singh, son of Jasvir Singh, by Anoop Kumar, with the averments that complainant Simranjit Singh Kang is the power of attorney of his brother-in-law Baljinder Singh, son of Jasvir Singh, presently residing in England. Baljinder Singh was owner of tube well connection number AK-354, which was installed in the land of Baljinder Singh and was the only source of irrigation of the said land. Vimal Kumar, son of Banarsi Lal, resident of Kulam Road, Nawanshahr, has filed Civil Suit against Baljinder Singh in the year 2017, regarding which Baljinder Singh executed Special Power of attorney dated 20.01.2018 in favour of Anoop Kumar, son of Anil Kumar, for the purpose of defending the said suit. It was specifically mentioned in the said Power of attorney that the same pertains to said Civil Suit and does not give any other right and authority to Anoop Kumar. On 24.10.2023, Baljinder Singh came to India and visited his land in village Gujjarpur and found that electric tubewell

connection from his land was missing. Baljinder Singh made enquiry at his own level to trace out his electric connection and later went to office of P.S.P.C.L. and did not get any satisfactory response. Accordingly, Baljinder Singh filed Civil Suit through attorney Simranjit Singh Kang, against P.S.P.C.L. demanding thereby the present status of the tube well connection. On the basis of order dated 23.01.2025, passed by then Civil Judge(Senior Division), P.S.P.C.L. has produced certain documents which revealed that Special Power of attorney dated 20.01.2018, has been misused by Anoop Kumar to sell the tube well connection to Vinay, son of Banarsi Dass. The market value of tube well connection is ₹15 lakh and Anoop Kumar, by misusing the Power of attorney dated 20.01.20218, has committed fraud with Baljinder Singh. Action be taken.

5. Learned Counsel for applicant-accused has prayed that the actual dispute between applicant-accused and complainant Baljinder Singh has arisen from the agreement to sell dated 26.12.2017, regarding which applicant-accused has filed the Civil Suit. On 05.05.2023, an interim order has been passed by the Civil Court in the said Civil Suit. Thereafter, present FIR has been registered on vague allegations by ignoring the civil litigation as well as power of attorney dated 14.11.2018, subsequently given by Baljinder Singh in favour of applicant-accused and by ignoring the agreement to sell dated 26.12.2017. It is further contended that Baljinder Singh complainant is playing fraud with every person, including applicant-accused, and has been fraudulently obtaining money from prospective vendees not only in his name, but in the name of his mother Ranveer Kaur. It is further contended that material being relied

upon by complainant is documentary in nature, in the light of which applicant-accused, who is ready to join the investigation, be granted the concession of anticipatory bail.

6. Per contra, learned Addl. Public Prosecutor for the State, assisted by learned Counsel for complainant has vehemently repelled the contentions put forth by learned Counsel for applicant-accused and has submitted that applicant-accused has indulged in white-collar crime and has committed fraud with the complainant by acting in total violation of the Power of attorney dated 20.01.2018, in the light of which applicant-accused does not deserve the concession of anticipatory bail.

7. I have carefully heard the learned counsel for the applicant-accused, learned Addl. Public Prosecutor for the State, assisted by learned Counsel for the complainant, and have very keenly gone through the investigation record.

8. The dispute pertains to the interpretation of Special Power of attorney dated 20.01.2018, wherein, as per learned Counsel for applicant-accused, it has been incorporated that the same may be considered as liberal one. Likewise, as conceded by learned Counsel for complainant, complainant Baljinder Singh has since executed Power of attorney dated 14.11.2018, authorizing applicant-accused, to take whatever action with respect to the tube well connection including its exchange/shifting. Though learned Counsel for complainant has submitted that this authority given in the subsequent Power of attorney, cannot legalize the prior act of fraud committed by applicant-accused, the same brings into play the question of ratification of the act of attorney by the principal and would again be matter

of interpretation. Admittedly, the entire material being relied upon by the investigating agency is documentary in nature. Civil Suit, for Specific performance of agreement to sell dated 26.12.2017, has also been filed by applicant-accused against complainant and his mother Ranveer Kaur. The entire dispute, thus, has trappings of civil nature.

9. The present thus, is a fit case, in which the discretion vested in the Court under Section 482 of B.N.S.S. is required to be exercised. Accordingly, applicant-accused is directed to join the investigation and applicant-accused shall, thereafter, be admitted to interim bail to the satisfaction of Arresting Officer/Investigation Officer/SHO concerned of the police station subject to conditions: –

- a) Applicant-accused will join the investigation and cooperate with the same as and when called by the investigation officer.
- b) Applicant-accused will not tamper with the prosecution evidence.
- c) Applicant-accused will not leave the country without prior permission of the Court.

10. For report to come up on **06.11.2025**.

Pronounced
Dated: 29.10.2025

Priya Sood (PB 0065)
Sessions Judge
Shaheed Bhagat Singh Nagar.

-YASHWINDER GANDHI-
STENOGRAPHER GR. 1