

BA No.2 of 2020 Karamjit Kaur etc. Vs. State of Punjab

Present:- Mr. M.P. Saini Advocate for the applicants
Mr. Dilpreet Singh Addl.P.P. for the respondent-State

Heard on the application filed by the applicants Karamjit Kaur and Gurmeet Kaur for grant of anticipatory bail in case F.I.R. No 289 dated 21.12.2017 under Section 406/420/120-B of IPC registered at Police Station Dera Bassi on the ground that the applicants are innocent. They have committed no offence. The complainant has lodged a false F.I.R. There is no evidence on the record to prove the allegations levelled in the F.I.R. Nothing is to be recovered from the applicants for which custodial interrogation of the applicants is required. However, they are ready to join the investigation and will not misuse the concession of bail.

The allegations against the applicants are that father of the complainant entered into agreement on 3.08.2015 for purchase of land measuring 81 Kanalas 4 marlas for total sale consideration of Rs.4 crore 21 lacs. The date for execution and registration of sale deed was settled as 3.01.2016. It is further alleged that an amount of Rs.35 lacs was received by the applicants as an earnest money and Rs.40 lacs was to be paid on 15.08.2015. The father of the complainant failed to make the remaining amount of Rs.40 lacs, as a result of which, the deal could not mature. It is alleged that the land was already mortgaged with the bank and this fact was not disclosed by the applicants to the father of the complainant.

It has been contended by the learned counsel for the applicants that no civil suit has been filed by the complainant till date, rather, he has taken frivolous plea. It is also contended that the father of the complainant was suffering from mental disorder at the time of alleged agreement. However, the applicants are ready to execute the sale deed.

SI Narinder Kumar has come present who has stated that the police has no objection if applicants be directed to join the investigation so that their role in the commission of offence can be ascertained.

Since prosecution only wants to ascertain the role of the applicants in the commission of crime, as such, it would be appropriate if the applicants be directed to join the investigation so that their role may be ascertained by the investigating agency.

Keeping in view the facts and circumstances of the case, the applicants/accused are directed to join the investigation with the concerned SHO/IO within 15 days and in the event of their arrest, he should be released on interim bail on their furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount each subject to the conditions as inscribed U/s 438 (2) of Cr.P.C. LCR be returned. Now compliance report be awaited till 22.01.2020.

P r o n o u n c e d
Dated:-10.01.2020
Balwinder

(Sanjay Agnihotri)
Addl. Sessions Judge,
SAS Nagar (Mohali)