



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

105-1

**CRM-M-21104-2026(O&M)
Date of decision: 23.04.2026**

Dinesh Kumar Sharma

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Krishan Singh Dadwal, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr.DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This first petition has been filed for grant of anticipatory bail to the petitioner(s) in case bearing FIR No.134 dated 22.10.2021 registered under Sections 420, 120-B of the Indian Penal Code, 1860 [now Sections 318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023] and Section 82 of the Registration Act, 1908 at Police Station Nayagaon, District SAS Nagar Mohali.

2. Learned counsel for the petitioner contends that one Harbans Kaur was the owner of the property in dispute qua which a General Power of Attorney dated 23.11.2004 was executed by her in favour of Meghraj. He further contends that the aforesaid Meghraj eventually executed a Special Power of Attorney dated 25.05.2007 in favour of the petitioner herein. It is further contended that the petitioner executed a sale deed in favour of his wife-Anju on 09.08.2021. It is further contended that the FIR was however got registered on an allegation that Harbans Kaur had cancelled the GPA executed in favour of Meghraj on 28.07.2021, hence, the sale deed by the



petitioner herein could not have been executed on 09.08.2021 as the Power of Attorney executed in favour of the General Power of Attorney Meghraj ceased to exist. He further contends that Meghraj has already been granted concession of anticipatory bail. He further contends that the entire case is based on documentary evidence and besides, the FIR pertains to the year 2021 and at no point in time, the arrest of the petitioner was ever sought to be necessary, thus custodial interrogation of the petitioner is not required.

3. Mr. Mohinder Kumar, Advocate enters appearance on behalf of the complainant and files his Power of Attorney. The same is taken on record. He contends that as a matter of fact, the petitioner-accused person tried to enter into possession of his land which is adjacent to the alleged property and that the documents in question are forged. He refers to the order dated 10.01.2023, whereby the second petition for grant of anticipatory bail bearing CRM-M-1139-2023 filed by Anju Sharma, who is wife of the petitioner herein, had been dismissed by this Court.

4. Learned State Counsel contends that as a matter of fact Harbans Kaur i.e. the owner of the property got recorded her statement and also submitted an affidavit to the effect that she has no grievance against the petitioner herein. He further contends that, at best, Harbans Kaur alone could claim herself to be a victim in the present case since the property in question belonged to her and since she has no further grievance, the complainant- Jaswant Singh, who is a neighbour cannot espouse the cause of Harbans Kaur. He further contends that the aforesaid fact did not exist at the time when the said anticipatory bail bearing CRM-M-1139-2023 was heard and decided on 10.01.2023.



5. I have heard the learned counsel appearing on behalf of the parties and respective arguments advanced by them and also noticing the contention of the State that Harbans Kaur herself i.e. owner of the property has suffered a statement to the effect that she has no grievance against the petitioner herein and has also submitted an affidavit in this regard, hence, it may give rise to an arguable issue with respect to the commission of offence under Section 420, 120-B of the Indian Penal Code, 1860.

6. In view of the above, the present petition is allowed. The petitioner is directed to appear before the Investigating Officer and join the investigation, whereupon the petitioner shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023.

7. It is made clear that in pursuance to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

23.04.2026

Sumit Gusain

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(VINOD S. BHARDWAJ)
JUDGE