



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

**CRM-M-41327-2023**

**Pronounced on: 18.09.2025**

Amarjit Kaur Singh .....Petitioner

Versus

State of Punjab and others .....Respondents

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. P.S. Ahluwalia, Advocate,  
Mr. Ishan Gupta, Advocate, for the petitioner.

Mr. Mohit Kapoor, Senior Deputy Advocate General, Punjab.

Dr. Anmol Rattan Sidhu, Senior Advocate, with  
Mr. J.S. Gill, Advocate,  
Mr. Rahul Kesar, Advocate, and  
Mr. Gurpreet Singh, Advocate, for respondents no.6 and 7.

Mr. R.S. Dadwal, Advocate, for respondent no.8.

Mr. Ashish Bansal, Advocate, for respondent no.9.

**TRIBHUVAN DAHIYA, J.**

The petition has been filed under Section 482 Cr.P.C. *inter alia* seeking a direction to the respondent/State to entrust investigation of the case FIR No.116 dated 19.06.2023, registered under Sections 420, 467 and 468 IPC at Police Station City Jagraon, District Ludhiana Rural, to an independent agency like the Central Bureau of Investigation (CBI).



2. As per averments in the petition, the petitioner is a Non-Resident Indian (NRI); she is aged about seventy-five years and at present residing in Canada with her son. She is owner in possession of a house at Street 7, Heera Bagh, Jagraon, District Ludhiana, which has been purchased vide registered sale deed bearing vasika no.3732 dated 04.11.2004. It is alleged that a forged General Power of Attorney (GPA) with respect to this house, dated 21.03.2005, was prepared by the accused in favour of the ninth respondent, who got it registered illegally in connivance with revenue officials, vide ante-dated vasika no.3701, Annexure P-7. On the basis of this forged GPA, a false sale deed was executed by the ninth respondent in favour of the eighth respondent, dated 11.05.2023, Annexure P-8. Within four days, on the basis of these forged and fabricated documents, the eighth respondent executed an undated rent deed, Annexure P-11, notarised on 15.05.2023, in favour of the seventh respondent, who is husband of the sixth respondent, at present a Member of Legislative Assembly (MLA) in the State of Punjab from Jagraon constituency. This rent deed was not for any particular period and, accordingly, the seventh respondent was given possession of the house in perpetuity.

2.1. On his occupying the house, the petitioner came to know about it and made a complaint through her daughter-in-law dated 29.05.2023, Annexure P-4, to the second respondent/Director General of Police, Punjab, against the illegal occupation of her house by the accused. She also mentioned about the threats being given by them. However, no action was taken by the police, and another application in this regard was moved by the petitioner to the fourth respondent/Senior Superintendent of Police, Ludhiana Rural, dated 08.06.2023, Annexure P-5. Still no action was taken,



and she moved a third complaint before the NRI Cell of the State, dated 10.06.2023, Annexure P-6. Finally, the FIR in question was lodged by the police on 19.06.2023. Strangely, the FIR was not lodged on petitioner's complaints, who is the affected party; instead, it was lodged at the behest of eighth respondent against the ninth respondent, despite the fact that both of them along with other accused had forged the documents and handed over the house to sixth and seventh respondents with an intention to illegally grab it.

2.2. It is further alleged that the petitioner's allegations stand established from the fact that after registration of FIR, the so called accused/ninth respondent filed a petition seeking pre-arrest bail before the Additional Sessions Judge, Ludhiana, which was allowed vide order dated 20.07.2023, on a statement made by the Investigating Officer as well as the complainant/eighth respondent, that a compromise had been effected in the matter and custodial interrogation of the accused was not required. Operative part of the order reads as under:

3. I have heard the Ld. Counsel for the petitioner, APP for the State assisted by I.O. ASI Inderjit Singh and counsel for the complainant Sh. Jaswinder Singh Bhatia Advocate who suffered the statement compromise has been effected and he has no objection if anticipatory bail is granted to petitioner. ASI Inderjit Singh appeared and suffered statement that compromise has been effected and custodial interrogation of petitioner is not required. In view of the statement of counsel for the complainant and IO, application is allowed. I.O/arresting officer is directed to release the petitioner on bail in this case to his satisfaction in event of their arrest and further petitioner is directed to comply with conditions enshrined u/s 438(2) of Cr.P.C. It is made clear that observations made above would not



affect the case on merits. Copy of this order be given to the applicant if so required. Record be returned to I.O. File be consigned to record room.

2.3. It is, however, an admitted fact on record that the seventh respondent had vacated the house on 15.06.2023. In these circumstances, the petitioner filed the instant petition whereupon this Court, vide order dated 21.08.2023, restrained the official respondents/State from presenting final report under Section 173 Cr.P.C. before the Court.

3. In this factual background, learned counsel for the petitioner has contended that respondents are hand in glove to grab the petitioner's house, as she is an old widow residing out of the country. The collusion between the accused and the official respondents was clear when the FIR in question was not lodged on the petitioner's complaints. She has alleged forgery by the ninth respondent in preparing the GPA dated 21.03.2005 and, thereafter, executing the rent deed dated 15.05.2023 in favour of the seventh respondent. The entire exercise of lodging FIR was carried out to bury the whole case of grabbing the petitioner's house, as also to save the sixth and the seventh respondents in an illegal manner. *Secondly*, it has been contended that despite lodging the FIR on 19.06.2023, it was not uploaded on the official website of district police. This was another method adopted to prevent anybody, including the petitioner, from coming to know about the progress of investigation into the matter, save the skin of the accused and cover up their misdeeds. *Thirdly*, it has been contended that it is a case of collusion between the police officers and the accused, one of whom is an MLA also. The complainant, who rented out the house is, in fact, a close associate of the MLA/sixth respondent, as can be seen from the pictures appended to the petition as Annexure P-3. After lodging of the FIR, a false



statement was made before the Court by him, as well as the Investigating Officer, that a compromise in the matter had been affected; it was to ensure release of the accused/ninth respondent on bail. All this shows that instead of fairly investigating the serious offences committed against the petitioner, the intent of the State has only been to protect the accused; firstly, by not taking any action on the petitioner's complaints and, secondly, by wrongly lodging the FIR on the complaint of eighth respondent, who himself is an accused in grabbing the petitioner's house being an accomplice of the seventh respondent. *Lastly*, learned counsel has relied upon the Supreme Court judgment in *Disha v. State of Gujarat and others*, 2011 (13) SCC 337, to contend that in the event of biased investigation by the State authorities, the Court should interfere and transfer the investigation to an outside agency who can fairly investigate the allegations.

4. *Per contra*, learned counsel for the respondents contend that the allegations levelled by the petitioner are false and unfounded. There is no basis for her to seek transfer of investigation to an outside agency. The State authorities have lodged the FIR in question on receiving complaints and carried out the investigation. It is the petitioner herself who is not cooperating, and has not responded to any of the notices issued to her to get her statement recorded and give specimen signatures to enable them to ascertain as to whether the GPA in question is a forged document. Her son, who is a witness to the GPA, is also absconding and his custody has been sought by the Narcotics Control Bureau (NCB) in a racket involving illicit drugs. Besides, the petitioner has already filed a suit for declaration, Annexure P-15, in the Civil Court at Jagraon that the sale deed, dated 11.05.2023, executed by the ninth respondent in favour of the eighth



respondent on the basis of forged GPA, dated 21.03.2005, is null and void and not binding on her rights. It has further been contended that looking into the seriousness of the matter, a Special Investigation Team (SIT) has been constituted by the State. It has also come to notice that the sale deed has been executed on payment of ₹13,06,000 as consideration; out of which only ₹2 lakh were paid in cash and rest ₹11,06,000 by way of cheques. Therefore, there is no basis for the petitioner's apprehension that the investigation is not being carried out properly. In fact, she is the one responsible for not allowing it to proceed.

5. Submissions advanced by learned counsel for the parties have been considered.

6. As per undisputed facts on record, the house in question has been sold by the ninth respondent to the eighth respondent vide sale deed dated 11.05.2023 executed on the basis of a GPA dated 21.03.2005, which the petitioner alleges to be a forged document. She has also filed a civil suit seeking declaration to the effect that the sale deed, based upon a forged GPA, is null and void. The suit is pending trial. Pursuant to sale of the house in favour of the eighth respondent, he rented it out to the seventh respondent, who happened to be husband of an MLA/sixth respondent, by executing a rent deed notarised on 15.05.2023. Complaints dated 29.05.2023, 08.06.2023 and 10.06.2023, were made on behalf of the petitioner to the DGP Punjab, SSP Ludhiana Rural and the NRI Cell, respectively, against attempt by the accused to grab her property in the aforementioned manner. It is also a fact not contested that the seventh respondent vacated the house on 15.06.2023. The FIR was lodged subsequently on 19.06.2023 on the complaint by eighth respondent, who allegedly bought the house and rented



it out to the seventh respondent. The allegations in the FIR are to the effect that the eighth respondent bought the property through GPA holder/ninth respondent, appointed by the petitioner vide a registered document dated 21.03.2005. He took the possession of the house and gave it on rent to the family of a local MLA/sixth respondent, as they were known to him. Later, it came to notice that the GPA in question was forged and had not been entered into the revenue records. It also transpired that the petitioner was claiming ownership over the house. However, no satisfactory response could be elicited from the petitioner in this regard. Coming to know about the property being in dispute, the tenant/seventh respondent vacated the same. Later, the accused/ninth respondent was granted bail by the trial Court on the statement that the matter had been compromised. In these circumstances, the instant petition was filed seeking transfer of investigation of the case to an independent agency.

7. The fact remains that the petitioner approached this Court soon after lodging of the FIR when investigation in the case was in progress. This Court, vide interim order dated 21.08.2023, restrained the police from presenting final report under Section 173 Cr.P.C. before the Court but there was no restraint on continuing with the investigation. As apparent on record, considering the gravity of the matter, SSP Ludhiana Rural constituted a SIT, consisting of Superintendent of Police (Investigation), DSP Jagraon and SHO Police Station City Jagraon, to investigate the matter, vide order dated 24.06.2023. Considering the allegations that the GPA in question had been forged, an offence under Section 471 IPC was added; as some articles had allegedly been stolen from the house in question, offences under Sections 380 and 465 IPC were also added in the case on 19.10.2023. The petitioner



was, thereupon, requested vide a letter dated 21.03.2024 to provide her specimen signatures and those of her son, Paramjit Singh, who is a witness to the GPA. WhatsApp messages were also sent to this effect on her mobile number, but she never joined the investigation nor provided the specimen signatures asked by the police. In these circumstances, the Forensic Science Laboratory (FSL) returned the case vide letter dated 04.04.2024 to the SIT, requiring documents 'of the nearby period' showing petitioner's signatures for comparison.

8. Learned counsel for the petitioner explained the petitioner's non-appearance because of lack of faith in investigating agency on account of their conduct in delaying the lodging of the FIR, not making her a complainant in the case, not uploading the FIR on website, and facilitating grant of bail to the accused by making wrong statement in the Court. However, there are no allegations of personal bias against the officials of the SIT who have been entrusted with investigation of the case; they are not alleged to be vindictive against the petitioner. It is also not the case that investigation has been carried out in a wrong direction. Delay in lodging of the FIR and not uploading it on the website are not sufficient grounds to grant the petitioner's prayer for transfer of investigation, nor can the alleged collusion between the complainant and the accused afford such a ground as it cannot influence the course of investigation, especially when none of the SIT members is even alleged to be associated with the statement in question regarding the compromise. It appears, only on account of non-cooperative attitude of the petitioner towards the SIT it could not reach at any logical conclusion. Therefore, this Court finds no ground to disbelieve the process of investigation.



9. The judgment in *Disha* case *ibid.* relied upon by learned counsel for the petitioner does not advance her case in any manner. In that case, the Supreme Court dismissed the petition seeking direction to transfer investigation of a case involving death of the petitioner's husband to the CBI, by taking into account the fact that the petitioner was herself an accused, and had not alleged that the case was not being properly investigated, or that the police had unnecessarily harassed her, nor that the investigating agency had any vindictive attitude towards her, etc. As already discussed, in the instant case also the parameters laid down in the judgment have not been met as the petitioner herein has not alleged any *mala fide* or bias against any officer of the SIT, nor has she alleged any vindictive attitude of its members towards her or that the investigation carried out is improper and unfair.

10. In view of the discussion, this Court finds no merit in the petition and it stands dismissed.

**(TRIBHUVAN DAHIYA)**  
**JUDGE**

18.09.2025  
Maninder

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