

248 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-12884-2025  
Reserved on: 06.08.2025  
Pronounced on: 20.08.2025

GURVINDER KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Kumar Kashyap, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

Mr. Pranav Aggarwal-complainant in person(through VC).

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
02	03.01.2024	Lalru, District SAS Nagar (Mohali), Punjab	419/420/465/467/468/471 and 120-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 20 of the bail application and para 12 of the status report/custody certificate, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the status report dated 05.08.2025 filed by the State, which reads as follows:

*“That it is humbly submitted here that a complaint bearing no.469/ASP/DB Dated 08.12.2023 was submitted by the complainant namely Pranav Aggarwal in the office of Assistant Superintendent of Police, Sub- Division, Dera Bassi against Gurjinder Singh, Bikram Singh, Parmal Singh, Harwinder Singh, Deed writer, Patwari and Sub-Registrar, Dera Bassi and Patiala. The complainant in the aforesaid complaint had broadly submitted that the complainant was resident of Delhi. His mother's name was Jyoti Aggarwal, who expired on 10.09.2019 and had left her husband namely Prince Mohan Aggarwal, the complainant (son) and her another son namely Varun Aggarwal. The complainant along with his father namely Prince Mohan Aggarwal, were Directors in a company namely Prima Chemicals Pvt. Ltd. Gholu Majra. The complainant further stated that there was no other Director in the aforesaid company. The Adhar cards, the certificate of incorporation and list of the Directors of the above said company were also placed on record. The complainant further stated that the aforesaid company*

*namely Prima Chemicals Pvt. Ltd. purchased the land measuring 07 Bigha 06 Biswas comprised in Khewat No. 143/115, Khatoni NO. 260, bearing khasra numbers 940/327(1-0), 942/326(3-0), 1423/325-2-14), 1431/935/326(0-7), kite 4, situated within the revenue estate of village GholuMajra, Tehsil Dera Bassi, District S.A.S. Nagar for lawful consideration and his father had signed the Sale Deed bearing vasika no. 2389 dated 17.03.1994 as Director of the company. The mutation was also sanctioned on the basis of aforesaid Sale Deed. Out of the above said Khasra number showing the ownership of 07 Bighas 01 Biswas, 05 Biswas of land was acquired by the NHAI, hence the construction could not be raised at the spot and the land in question was lying vacant.”*

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR. He further submits that no payment has been received by the petitioner and all the payments were received by the co-accused Gurjinder Singh, who has been granted anticipatory bail vide order dated 14.05.2024 passed in CRM-M-6387-2024 by Co-ordinate Bench of this Court. The petitioner's counsel further submits that petitioner shall not repeat the offence and if she does so, she has no objection, if State files an application for cancellation of bail. On instructions he further submits that he has no objection if this Court while granting bail imposes any stringent conditions. He further contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State as well as complainant appearing in person oppose bail.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

***“ROLE OF THE PETITIONER & EVIDENCE AGAINST HER***

*11. That the Petitioner also one of the main accused, who had impersonated the deceased mother of the complainant namely Jyoti Aggarwal and got executed a forged General Power of Attorney no. 2022-23/11/4/2262 dated 01.03.2023 from the office of Sub Registrar, Patiala in connivance with other main accused namely Bikram Singh, Gurjinder Singh, Parmal Singh and Harwinder Singh. The aforesaid forged General Power of Attorney dated 01.03.2023 also have the photograph of the Petitioner affixed on it, which shows her active participation in the whole conspiracy of causing wrongful loss to the complainant and wrongful gain to themselves by forging and fabricating different documents. The sample signatures of the petitioner has also been obtained for comparison after taking permission from the concerned court of law, however the FSL report is still awaited.”*

**REASONING:**

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 12 of the bail petition, the petitioner has been in custody since 27.12.2024. Per the custody certificate dated 05.08.2025, the petitioner's total custody in this FIR is 07 months

and 07 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, petitioner is a woman and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

13. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

14. **This bail is conditional, and the foundational condition is that if the petitioners indulge in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.**

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the

downloaded copy for attesting bonds.

**17. Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)  
JUDGE**

**20.08.2025**

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Whether speaking/reasoned: Yes

Whether reportable: No.