



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

109

CRM-M-25814-2025

Date of decision: May 13<sup>th</sup>, 2025

Mohinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Sukhdeep Singh Bhinder, Advocate  
for the petitioner.

**MANJARI NEHRU KAUL, J.**

Petitioner is seeking the concession of anticipatory bail in FIR No.26 dated 15.04.2025 under Section 7 of The Prevention of Corruption Act (for short 'the P.C. Act') and Sections 166, 120-B of the IPC, registered at Police Station Vigilance Bureau, Patiala.

2. Learned counsel for the petitioner, a woman, contends that she has been falsely implicated in the instant case solely on the basis of being a subsequent purchaser of the property in dispute. It has been argued that the property was allegedly under a stay order passed by the Family Court at Barnala; however, there was no such reflection of this order in the official revenue records at the time the petitioner executed the sale deed.

3. It has further been submitted that the land was purchased by the petitioner from the late husband of the complainant through a duly registered sale deed. The petitioner was a *bona fide* purchaser having verified the revenue records prior to the transaction, which allegedly revealed no encumbrances. Moreover, it has been asserted that

the petitioner had no knowledge of any ongoing matrimonial disputes between the complainant and her late husband or of any judicial restraint on the sale of the land. Learned counsel for the petitioner, therefore, contends that the petitioner has not committed any act of criminality and is merely an innocent party with no direct role in any alleged illegality.

4. Notice of motion.

5. Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and has vehemently opposed the grant of anticipatory bail to the petitioner.

6. It has been contended, on instructions, that the petitioner is not only a beneficiary of the illegal transaction but a key conspirator in the fraudulent mutation of the land records. It has been pointed out by the learned State counsel that the petitioner is the sister of the local Kanungo, who exercised jurisdiction over the area in question. It is alleged that the petitioner, in collusion with her brother (the Kanungo), and a co-accused Mandar Singh, Patwari, caused the mutation to be fraudulently entered in her name despite the existence of a subsisting stay order passed by a competent Court.

7. Learned counsel submits that thereafter the petitioner executed a Will in favour of her brother-the Kanungo himself-is yet another conclusive evidence of her active participation in the conspiracy and the misuse of official position by public servants. Moreover, learned counsel for the State has submitted that there was *prima facie* credible material indicating that the co-accused had accepted illegal gratification from the complainant after the complainant learnt about the incorrect revenue entries made in the revenue records, thereby invoking offences

under the P.C. Act.

8. I have heard learned counsel for the parties and perused the relevant material on record.

9. *Prima facie* the allegations against the petitioner are grave, specific, and supported by material pointing to her active involvement in a well orchestrated conspiracy. The petitioner is not a mere purchaser acting in good faith; rather, the chain of events, particularly her close relationship with a co-accused revenue official and the fact that the property was later willed to him undermines the plea of innocence or lack of knowledge.

10. The revenue mutation was carried out in blatant disregard of a subsisting stay order of a competent Court and the same cannot be brushed aside as a mere clerical lapse. The involvement of public servants, who received illegal gratification points to a systemic abuse of power, and the petitioner's role as the direct beneficiary casts a serious shadow on her claimed *bona fides*.

11. This court finds no merit in the argument that the absence of a formal revenue entry reflecting the stay order of a Court absolves the petitioner of responsibility. As a prospective buyer, the petitioner owed a higher degree of diligence, more so given her personal ties to revenue officials involved in the very transaction now under scrutiny.

12. In the facts and circumstances as enumerated hereinabove and considering the gravity of the allegations, the custodial interrogation of the petitioner appears imperative for the fair and effective progress of investigation. This Court, therefore, does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

13. Accordingly, the instant petition stands dismissed.

14. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**May 13<sup>th</sup>, 2025**

*Puneet*

**(MANJARI NEHRU KAUL)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No