



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-32567-2025  
DECIDED ON: 17.06.2025

KARAMJEET KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. H.S. Kehal, Advocate  
for the petitioner.

**SANDEEP MOUDGIL, J (ORAL)**

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 of the B.N.S.S. for the grant of anticipatory bail to the petitioner in FIR No. 0219 dated 20.08.2020 (Annexure P-1), registered with Police Station Civil Lines, District Amritsar under Sections 420, 465, 467, 468 (section 120- B IPC added afterwards) Indian Penal Code, 1860.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

*“A complaint UID No. 170051 dated: 29.11.2019 of Darshan Singh son of late Sh. Labh Singh resident of village Rahal Chahal Tehsil Khadoor Sahib District Tarn Taran at present residing at H. No. 1405, Rama Mandi, Hoshiarpur road District Jalandhar is received in the Police Station from the office of Commissioner of Police, Amritsar, the contents of which are that: To, the Hon'ble Commissioner of Police, Amritsar Subject:-Complaint against 1) Jarnail Singh son of*

late Sh. Labh Singh resident of village Rhal Chahal, Tehsil Khadoor Sahib District Tarn Taran, 2) Manjit Kaur wife of Sukhchain Singh, 3) Karamjit Kaur wife of Jarnail Singh at present residing at Venia, New Jurcy, USA who cheated the complainant by making fake court decree of divorce and performed marriage with Baldev Singh by misleading them, in this way they cheated the complainant and court. Sir, it is 17 requested that I, Darshan Singh son of late Sh. Labh Singh, am resident of village Rahal Chahal Tehsil Khadoor Sahib District Tarn Taran at present residing at H. No. 1405, Rama Mandi, Hoshiarpur road District Jalandhar and I am retired as Inspector from Punjab Police and I am a peace loving citizen of India. 2) That Jarnail Singh has three daughters namely Manjit Kaur, Baljit Kaur and Karamjit Kaur. The marriage of said Manjit Kaur was solemnized with Sukhchain Singh son of Shankar Singh in the year 1998-99 and thereafter Manjit Kaur started residing at America with Sukhchain Singh. Thereafter in the year 2002, the marriage of Karamjit Kaur was solemnized with Avtar Singh son of Bhajan Singh, as per Sikh rites and rituals at Kamal Palace Amritsar. Said Avtar Singh was also living at Canada but after marriage, since Karamjit Kaur did not like to Avtar Singh, therefore she refused to go to Canada with Avtar Singh. 3) That thereafter all these accused persons in connivance to each other under the instructions of Karnail Singh, Manjit Kaur and Sukhchain Singh also included in this scheme. Jarnail Singh told Manjit Kaur and Sukhchain Singh that if you make arrangement of any person at America then we will send his daughter Karamjit Kaur to America who is presently living with him in India. 4) That under this plan, Jarnail Singh, Manjit Kaur and Sukhchain Singh have got processed the papers of Karamjit Kaur through one Mohammad Nabi Tokhi son of Mohammad Zahir Tokhi who was working on the store of Sukhchain Singh so that Karamjit Kaur could be sent to America. This is also proved from the fact that after going to America, when Karamjit Kaur settled there, then they both, to finalize their said plan, have tried to dissolve the marriage

*of Karamjit Kaur and Mohammad Nabi Tokhi whose marriage was fake so that the marriage of Manjit Kaur could be performed with any other boy of good family. 5) That to complete their said plan, they all under the instructions of Jarnail Singh who was master mind of this scam, have prepared a fake court decree and they tried to show in this decree that Karamjit Kaur and Mohammad Nabi Tokhi have taken divorce on 04.08.2020 vide judgment and decree passed by the court of Sh. B.S. Randhawa, Additional District Judge, Amritsar, which was prepared made by them with cheating and in fraudulent manner, where as there is no record of said decree of dated 04.08.2020 in the courts at Amritsar. On checking of this decree, it shows that this decree is false and prepared by them with cheating because in the certificate copy of any judgment, the signatures of Judge are not present on the bottom of judgment. The said decree has been prepared in fraudulent manner. Today I received said decree in any manner from my brother Jarnail Singh, which is enclosed with this complaint. 6) That it is also pertinent to mention here that when the marriage of Karamjit Kaur already performed with Avtar Singh son of Bhajan Singh as per Sikh rites and rituals then how Karamjit Kaur can perform the marriage with Mohammad Nabi Tokhi without getting divorce from her first marriage and how she got her documents processed in America. Therefore, you are requested that on the basis of above said facts, the inquiry be conducted ad this forgery be disclosed and strict legal action be taken against the accused persons. I shall be thankful to you. Yours faithfully Sd/- Darshan Singh Mob: 98142-85922 Dated: 29.11.2019.”*

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner contends that that the petitioner has been wrongly implicated in the present FIR (P-1) by the complainant, a retired police inspector with strong police connections. The

motive allegedly stems from a 2014 incident where the petitioner and their sister paid \$10,000 as surety for the complainant's son after his arrest in the USA. When the petitioner later demanded repayment with interest, the son refused to pay, leading to a grudge against the petitioner, which led to the registration of the present FIR.

Notice of motion.

### **On behalf of the State**

On the asking of the Court, Mr. Sandeep Singh, AAG, Punjab accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail to the petitioner on the ground that petitioner is currently residing at USA and she without obtaining a legal separation married another person at USA by producing a forged and fabricated dissolution deed/ decree passed by trial court(Indian Court).

#### 4. **CONCLUSION**

Upon examining the arguments presented by both sides, the court finds no grounds to grant anticipatory bail to the applicant. The matter goes beyond personal disputes involving the complainant and the accused's family; the focus is on whether a serious offence has been committed that justifies further investigation. It has come to light that the petitioner benefited from a questionable divorce decree allegedly obtained from Avtar Singh(first husband), yet she has failed to produce any credible evidence of its authenticity, especially in light of her subsequent remarriage in the USA. This raises serious concerns about the possibility of a forged court order, and given that the applicant stands to benefit from it, her involvement in a potential conspiracy cannot be ruled out. Forgery of judicial documents is a

grave offence that undermines the justice system and must be thoroughly investigated. Therefore, the court concludes that custodial interrogation is essential to uncover the full truth.

Keeping the aforesaid facts in consideration and in view of the judgment of the Supreme Court in *Maruti Nivrutti Navale v. State of Maharashtra and Another (2012) 9 SCC 235* which held that:-

*"12..... in order to bring out all the material information and documents custodial interrogation is required, more particularly, to ascertain in respect of the documents which were alleged to have been forged and fabricated. In the said documents and other materials which are in the possession of the appellant and the allegation against him that he has made false representation before the public authority on the basis of those documents for obtaining necessary permission, as pointed out by the State, in order to secure possession of those documents, custodial interrogation is necessary...."*

Further dependence can be placed upon the judgment in *State v. Anil Sharma, (1997) 7 SCC 187*, which held:

*"6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."*

This Court is of the view that a case for custodial interrogation is made out.

## 5. Relief

Given the specific facts and circumstances of the case, as well as the nature of the allegations levelled against the petitioner, this Court is

not inclined to grant the relief of anticipatory bail at this stage, hence, the same is hereby dismissed.

It is, however, clarified that the observations made herein are solely for the purpose of adjudicating the present bail application and shall not influence the trial court in any manner while deciding the case on its merits and in accordance with law.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**17.06.2025**  
*SHAM*

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*