

2025:PHHC:085413



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

**102**

**CRM-M-32640-2025**

**DATE OF DECISION: 11.07.2025**

**VANEET MAHAJAN**

**...PETITIONER**

**VERSUS**

**STATE OF PUNJAB & ANOTHER**

**... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. Gaurav Garg Dhuriwala, Advocate,  
Mr. Sandeep Gors, Advocate and  
Mr. B.M. Vinayak, Advocate  
for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

Mr. P.S. Hundal, Advocate  
for respondent No.2.

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**SANDEEP MOUDGIL, J (ORAL)**

**CRM-26175-2025**

Prayer in the present application is for seeking permission to place on record the accompanying affidavit of Smt. Usha Mahajan (Respondent No.2-complainant).

In view of averments made in the application, the same is allowed and affidavit of Smt. Usha Mahajan-respondent No.2, is taken on record subject to all just exceptions.

**CRM-M-32640-2025****1. Prayer**

The jurisdiction of this Court under Section 482 of BNSS, 2023 has been invoked for grant of anticipatory bail to the petitioner in FIR No.43, dated 01.06.2025, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Majitha Road, Amritsar.

**2. Contentions  
On behalf of the petitioner**

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case due to an ongoing family dispute. It is submitted on behalf of the petitioner that he was neither summoned nor associated in the preliminary inquiry conducted by the Assistant Commissioner of Police (Crime), Amritsar, prior to the registration of the FIR. Additionally, two separate preliminary inquiries have established that the dispute in question is civil in nature. It is further pertinent to highlight that the police authorities were already aware that the petitioner and his family members were engaged in civil litigation. Despite this, repeated complaints based on the same cause of action were lodged and duly addressed. This sequence of events is sufficient to infer that the petitioner's family members are resorting to harassment with the intent to further their malicious objectives through fraudulent means.

**On behalf of the respondent-State-complainant**

On the other hand, the learned State counsel, assisted by the learned counsel for the complainant, has opposed prayer made in the present petition stating that the petitioner has made an attempt to

usurp the properties of his widowed mother, who is the complainant in the present case, by fabricating a false agreement to sell dated 28.02.2018, which was purportedly created by arranging ante-dated stamp papers and forging the signatures of the complainant and her other son. It is argued that the petitioner was fully aware of the registered will dated 15.10.2020, executed by the complainant in favour of her other son, Mr. Gaurav Mahajan, which includes the aforementioned property and other assets. It is pointed out that another FIR, bearing No. 88/2024 under Sections 420, 465, 467, 468, 471, and 120-B IPC, has already been registered on the complaint of Smt. Usha Mahajan, the complainant, relating to a separate forged agreement concerning other properties owned by her. Furthermore, a report from the Forensic Science Laboratory (FSL), Mohali, confirms that the signatures of Smt. Usha Mahajan on the alleged agreement dated 28.02.2018 are forged and fabricated. The custodial interrogation of the petitioner is essential to unearth further details and evidence pertaining to the case.

Heard learned counsel for the parties at length.

**3. Analysis**

The present FIR stands registered on the basis of a complaint moved by Smt. Usha Mahajan, mother of the petitioner, alleging that the petitioner has forged the agreement to sell dated 28.02.2018 concerning the property bearing private no. 2, measuring 200 Sq. Yds, which is owned by her.

At the initial stage, an inquiry was conducted by ACP (Detective), Amritsar, who submitted his report observing that the

dispute between the parties appears to be civil in nature and that litigation regarding the same is pending before the competent civil court.

However, the complaint was again referred to ACP (Detective), Amritsar, for further detailed enquiry. During this enquiry, the complainant produced a report from the Treasury Office, Amritsar, regarding the issuance of stamp papers bearing No. B390806 for Rs. 500/-, on which the alleged agreement to sell dated 28.02.2018 was written.

It was revealed in the report that the said stamp paper was not issued by the District Treasury, Amritsar. Instead, it was issued by the District Treasury, Ludhiana, to the District Treasury, Tarn Taran, vide invoice No. 2016 dated 19.06.2008. The challan, however, lacks information about the serial number, date of issuance, and the name of the recipient, thereby raising prima facie doubts over the genuineness of the stamp paper.

Further, the report from the Forensic Science Laboratory (FSL), Mohali, conclusively states that the signatures of the complainant, Smt. Usha Mahajan, appearing on the agreement in question, were forged and fabricated.

It is pertinent to note that FIR No. 88/2024 under Sections 420, 465, and 467 IPC has already been registered against the accused on the basis of similar allegations relating to another property owned by the complainant.

On perusal of order dated 19.06.2025, it is evident that in compliance of the order dated 17.06.2025, the petitioner has not turned

up to settle the matter, as was the intent shown by the parties, especially by the petitioner and he was directed to show cause as to why proceedings under the Contempt of Courts Act, 1971, be not initiated against him.

The Hon'ble Supreme Court has held in *M.C. Mehta v. Union of India, (2003) 5 SCC 376*, that:

*“An undertaking given to the court is not a mere formality or a statement without consequences. It has the force of a binding direction of the court, and non-compliance therewith is to be viewed seriously.”*

Further, in *Ram Kishan v. Tarun Bajaj, (2014) 16 SCC 204*, it was reiterated that:

*“When a party gives an undertaking to the Court, it is presumed that it will be complied with in letter and spirit. Failure to honour the undertaking amounts to abuse of the process of the Court.”*

In view of the above facts as well as the petitioner's conduct, the allegations against him appear to be grave and have a strong *prima facie* basis supported by forensic evidence. The case is not merely a civil dispute but involves serious criminal offences including forgery and cheating, which have a direct impact on the property rights and ownership.

Accordingly, the present petition stands dismissed.

(SANDEEP MOUDGIL)  
JUDGE

11.07.2025

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*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No