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Amritpal Kaur vs State of Punjab

Present: Mr.Inderjit Sharma, Advocate,
 for the petitioner

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In response to the notice issued, Mr.P.S.Bajwa, learned Additional Advocate General, Punjab, appears, and on instructions from ASI Ajit Singh, Police Station Adampur, District Jalandhar, states that the 'challan' was presented against the petitioner and she was admitted to bail by the trial court, possibly on account of the fact that she had been earlier granted interim anticipatory bail by this court in CrI.Misc.No.M-9036 of 2013.

Mr.Bajwa further submits that the petitioner has also been booked, as already noticed in the order dated 20.3.2015, in another case registered against her, for the alleged commission of offences punishable under Sections 406/420/120-B IPC, at P.S. Bhogpur, District Jalandhar, and as such, she would not be entitled to the concession of bail.

Learned counsel for the petitioner on the other hand, submits that the same set of allegations, as have been made against the petitioner in this case, have also been made in the other case registered at Police Station Bhogpur, District Jalandhar, to the effect that the petitioner, along with two other co-accused, namely Sikander Singh and Surinder Singh, offered jobs to various people, including the complainant in this case, for employment in the National Sarva Shiksha Abhiyan and took large amounts of money from those people. As a matter of fact, learned counsel further submits, that the petitioner herself was also a victim of the same scam, inasmuch as,

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money had also been extracted from her by the said Sikander Singh and Surinder Singh, in order to secure a job for her.

Without commenting on the merits of the submissions, it is seen that as per the order of the learned Additional Sessions Judge, Jalandhar, dated 6.1.2015, the bail application of the petitioner was dismissed on the ground that she had not appeared before the trial court on three occasions. Factually, as already noticed earlier in the order dated 20.3.2015, she had not appeared in view of the fact that she had been declared a proclaimed offender/proclaimed person in another case, which order was set aside by a co-ordinate bench on 13.01.2005, passed in CrI.Misc.No.M-23468 of 2014. The said order having been quashed by this court, interim anticipatory bail had been granted to the petitioner, vide order dated 20.3.2015, passed in the present case.

Since the ground for rejection of the petitioners' bail application would still be same, i.e. non-appearance on account of the fact that she had been declared a proclaimed offender/proclaimed person in another case, and the said proceedings having been quashed by this court, I see no reason for the petitioner not to be admitted to bail during the pendency of the trial, especially as it is not in dispute that she is on bail in the other case too, in which there are identical charges against her.

Consequently, she would be admitted to bail, upon her furnishing adequate bail/surety bonds to the satisfaction of the trial court, in the case arising out of FIR No.10, dated 21.1.2013, registered at P.S.Adampur, District Jalandhar.

27.3.2015
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(AMOL RATTAN SINGH)
JUDGE