

Sr. No.220

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-18984 of 2016 (O&M)

Date of Decision: 03.06.2016

Rajwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Davinder Singh Khurana, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG., Punjab.

Mr. P.P.S.Duggall, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.40 dated 17.02.2016, under Sections 420/120-B of Indian Penal Code, registered at Police Station City Ferozepur, District Ferozepur.

Counsel for the parties have been heard.

FIR in question came to be registered on the joint complaint of Manjit Singh son of Jarnail Singh, Tajinder Singh son of Narinderpal Singh, Baljinder Singh son of Joginder Singh, Naib Singh son of Bhag Singh, Tarsem Singh son of Swaran Singh.

Allegations in a nutshell are with regard to sums of money having been deposited with Nicer Green Company in the shape of fixed deposits etc. on the pretext of getting a handsome return and such money

having been misappropriated.

As per initial joint complaint of the afore-noticed five complainants, specific allegations had been levelled against Pipal Singh, Managing Director of the Company, Avtar Singh Director, Gurjant Singh, Mohinder Singh, Harbhajan Singh and Bakshish Singh.

All the afore-noticed accused were alleged to be officials/Directors i.e. part of the management of Nicer Green Company. Name of the present petitioner did not even figure in the initial joint complaint and as such is not even mentioned in the FIR.

It so transpires that one of the complainants that Tarsem Singh suffered a supplementary statement on 26.03.2016 on the basis of which the present petitioner is sought to be implicated. Such statement dated 26.03.2016 has been read out in Court today by ASI Baljinder Singh who has come to assist learned State counsel. Even as per such statement, there is no entrustment of money in favour of the present petitioner.

It is not even the case made out on behalf of the State or by counsel appearing for the complainant that the present petitioner holds any managerial post insofar as the accused company is concerned.

Petitioner who is a lady was arrested on 19.04.2016.

Prayer made in the present petition has been vehemently opposed by counsel appearing for the complainant by submitting that matter is still under investigation.

Be that as it may, no case has been made out for this Court to infer that in case benefit of bail is granted to the petitioner, she would be in a position to hamper the course of a free, fair and impartial investigation.

Without making any observations on merit, petitioner is held

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entitled to the benefit of bail. Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Disposed of.

03.06.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE