

221

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-39474 of 2017

Date of decision: October 31, 2017

Rajbir Kaur @ Raj Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI**

**Present:** Mr. Sarbjit Singh, Advocate  
for the petitioner.

Mr. Ramandeep Sandhu, DAG, Punjab.

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**A.B. CHAUDHARI, J (Oral)**

Heard learned counsel for the rival parties.

Petitioner who is a woman, seeks regular bail in FIR No.46 dated 15.05.2017, under Sections 7/18/12/13(1) of Prevention of Corruption Act, registered at Police Station Khalra, District Tarn Taran.

Learned State counsel has filed custody certificate of the petitioner in Court today and the same is taken on record.

Learned counsel for the petitioner submits that the petitioner has been arrested on 14.08.2017 and is in jail since then.

In the impugned order of the trial Court, following is the statement:-

*“From the police file, there appears to be some evidence collected during investigation, which is in the form of audio recording contained*

*in two CDs dated 05.07.2017 is pursued by me. As per the complainant and from the transcript, it appears to be a case of demand of illegal gratification and also payment there of ASI Hardeep Singh. The aforesaid expression is prima facie observation of the court necessary to meet the arguments of learned defence counsel regarding the innocence of the petitioner.”*

In view of the above observation, in my opinion, there is no evidence which can be tampered.

Even otherwise, in the absence of *prima-facie* evidence, the petitioner being a woman, would be entitled to grant of bail particularly when there is no other criminal case against her.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

**(A.B. CHAUDHARI)**  
**JUDGE**

**October 31, 2016**

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Whether speaking/ reasoned: Yes/No  
Whether Reportable: Yes/No