

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

**CRM-M-52534-2018
Date of decision:04.12.2018**

Rajinder Kaur and others

.....Petitioners

Versus

The State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Harpreet S. Rakhra, Advocate
for the petitioners.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek grant of regular bail in case registered vide FIR No.66 dated 16.09.2018 registered at Police Station D-Division, Amritsar, under Sections 392, 395, 397, 307, 412 of Indian Penal Code, 1860 and Section 25 of Arms Act.

2. The FIR was lodged at the instance of Manoj Kumar, who has stated that he is having a Jewellery Shop under the name and style of Prem Kumar and Sons Jewellers Pvt. Ltd. and that on the day of occurrence two young men came inside his shop and asked his salesman to show a gold bangle and gold chain. After some time, one of them went outside and came back along with 4-5 other persons and who upon entering the shop took out their pistols and pointed the same at the complainant and others. It is alleged that one of those persons removed the CCTV, DVR while the others collected gold ornaments lying in the shop and while leaving the shop they also fired with the pistols.
3. It is the case of prosecution that the value of the gold ornaments taken away from the complainant's shop is about ₹3,11,29,827/- and that apart from said gold ornaments a cash amount of ₹30,000/- was also taken by the accused.
4. Learned counsel for the petitioners has submitted that even from perusal of the FIR it is apparent that none of the accused was a lady and that the petitioners are being implicated falsely, simply on the ground that they are related to one of the alleged accused being mother and sisters of the alleged accused namely Amanpreet Singh @ Rinka.
5. On the other hand learned State counsel has submitted that although the petitioners are not named in the FIR but during the course of investigation it has surfaced that the petitioners had been entrusted with the stolen amount which has also been got recovered from the petitioners. The

learned State counsel in this context has submitted that during course of investigation, statement of one Rumi Singh has been recorded, who has stated that he had overheard Rajat Malhotra @ Karan Masti speaking to co-accused Amanpreet Singh @ Rinka that he should take cash amount of ₹30,000/- and give it to his mother and sisters for the purpose of expenditure to be incurred in the 'Roka' ceremony of sister of Amanpreet Singh @ Rinka. It has further been submitted that pursuant to arrest of the petitioners an amount of ₹5,000/- from petitioner No.1-Rajinder Kaur, ₹10,000/- from petitioner No.2-Simran Kaur @ Seema and ₹5,000/- from petitioner No.3-Ritika was recovered. It has thus been submitted that the petitioners are not entitled for concession of bail.

6. Having considered rival contentions addressed before this Court I find that the petitioners are not named in the FIR and the evidence against them is mainly in the shape of statement of one Rumi Singh who had allegedly overheard a co-accused referring to handing over cash to family of petitioners and also in the shape of recovery of ₹20,000/-. It will certainly be debatable as to whether the said cash amount is the same one which was stolen from the shop or was from other source.
7. Having regard to the abovesaid facts and circumstances and keeping in view the nature of allegations against the present petitioner and also bearing in mind the fact that the petitioners are ladies, in my opinion, no fruitful purpose would be served by further detaining the petitioners behind bars. Accordingly, petitioners-Rajinder Kaur, Simran Kaur @

Seema and Ritika are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar.

8. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.
9. This petition stands accepted accordingly.

04.12.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No