

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.105

CRR-3775-2018 (O&M)
Date of decision : 17.11.2018

Amarjit Kaur

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.S. Rana, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner has been prosecuted by registration of FIR No.102 dated 16.5.2012 registered at Police Station Division No.5, District Ludhiana, under Sections 420, 199, 200, 120-B. Vide judgment dated 7.10.2017, passed by the JMIC, Ludhiana, she has been convicted under Sections 199 and 200 IPC and vide order of even date, she has been sentenced to undergo RI for 02 years and to pay fine of Rs.100, in default of which, to further undergo RI for 15 days, for each of the conviction. Her appeal has been dismissed vide judgment dated 27.9.2018, passed by the Addl. Sessions Judge, Ludhiana.

Learned counsel for the petitioner submits that from the statement of PW3 Raj Pal, it is evident that there is no entry in the bail bond register regarding any property. Thus, it cannot be said that the petitioner has furnished the same property while standing as surety in more than one case. It is, further, submitted that the petitioner has stood surety in only one other case and therefore, the sentence imposed upon her, is excessive.

The contentions of learned counsel for the petitioner are meritless. PW3 has only stated that the identity of the property is not mentioned in the bail bond register, but that does not mean that the identity

of the property is not disclosed in the bail bond. The bail bond is also on record and therefore, the contention of learned counsel for the petitioner cannot be accepted. Further, one instance of furnishing surety against the same property for more than one accused is sufficient to constitute the offence complained off. The prosecution has successfully proved its case and no perversity, illegality or irregularity in exercise of jurisdiction by the Courts below has been pointed out.

The petition is without any merit and is accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

17.11.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No