

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

CRM-M No.41739 of 2019

Date of decision: 28.11.2019

Gurjinder Kaur

....Petitioner

Versus

State of Punjab

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.53 dated 07.04.2019 registered under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Urban Estate, Patiala, District Patiala.

Counsel for the petitioner has argued that as per the allegations in the FIR, the accused – Navjot Singh Sekhon, who was employed with the Punjab Police had allured the complainant to procure the Class IV job in the High Court and on such allurement, he had taken Rs.9 lacs from the complainant – Jaswinder Singh Mann and Rs.8 lacs from the complainant – Jasanpreet Singh.

Later on, he handed over fake appointment letters, on the basis of which, he got the medical examination of the two persons conducted at CHC Tripuri, Patiala. Thereafter, finding that a fraud has been played against them, the present FIR was registered.

Counsel for the petitioner has argued that the allegations against the petitioner are that she was employed as ANM and she got the medical examination of two persons conducted from CHC, Tripuri,

Patiala. Counsel for the petitioner has relied upon the letter issued by the office of Senior Medical Officer, CHC Tripuri, Patiala wherein it has been stated that as per the record, a person namely Jaswinder Singh was examined and his ECG was done.

Counsel for the petitioner has further submitted that the petitioner was appointed as ANM on contractual basis on 25.08.2018 and she herself fell in a trap of the co-accused – Navjot Singh Sekhon as she was not aware that he has taken money from the aforesaid two persons on the pretext of providing job. It is also argued that the petitioner is a lady and is in custody from the last 05 months.

Counsel for the State has not disputed the factual position but opposed the prayer for bail. It is submitted that the investigation is complete and the challan stands presented.

Without commenting anything on merits of the case, considering the fact that the petitioner is a lady; she is in custody from the last 05 months; the investigation is complete; challan stands presented and the conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However it will be open for the prosecution to apply for cancellation of bail of the petitioner in case she is found misusing the concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

28.11.2019

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No