

RAJ KUMAR VERSUS STATE OF PUNJAB**CRM-M-42195-2019****RAMA VERSUS STATE OF PUNJAB****CRM-M-43539-2019****JATINDER KAUR VERSUS STATE OF PUNJAB**

Present: Mr. Vipul Dharmani, Advocate
for the petitioner (in CRM-M-43539 & 41995 of 2019)

Mr. Bikramjit Singh Randhawa, Advocate,
for the petitioner (in CRM-M-42195 of 2019)

Mr. A.P.S.Gill, Deputy Advocate General, Punjab.

Mr. Sangam Kaushal, Advocate
for the complainant.

CRM-M-43539-2019

Pursuant to the order dated 16.10.2019, an affidavit of Sh. Swapan Sharma, Senior Superintendent of Police, Rupnagar, has been filed in Court today. A copy thereof has been handed over to learned counsel for the petitioners. From the affidavit, learned counsel for the State submits that the contention of the learned counsel for the petitioner that the information received under the Right to Information Act, 2005, showed that Manjit Kaur and Rekha Rani had even worked for one month in Civil Hospital, Rupnagar, is not found to be substantiated, after that had been verified from the office of the Senior Medical Officer, Civil Hospital, Rupnagar, with copies of the attendance register also showing that a new register was used, with the names of no other employees mentioned therein.

As regards the contention of learned counsel for the petitioner, made on the last date of hearing, that there was no evidence to show that any money had been transferred to her (as was the contention of the complainant), it has been actually found that Rs.1,00,000/- was transferred by the father of the complainant in the account of the petitioner, Jatinder Kaur, bearing No.29290110029954, maintained at UCO Bank, Branch Sri Anandpur Sahib, vide cheque No.368699, drawn on the State Bank of India, with the transfer having been made on 12.01.2018.

In view of the above, in my opinion, whether or not any information was received under the Right to Information Act, which possibly is being suppressed by the officers in the hospital, is a matter which needs further investigation, with it already recorded in the previous order, that as per the petitioner, even the Civil Surgeon, Rupnagar was (allegedly) involved in this scam.

Consequently, it is considered appropriate by this Court to order the investigation to be transferred from the District Police, Rupnagar, to the Crime Branch of the Punjab Police, with the ADGP, Crime, directed to go into the matter personally and to thereafter assign the investigation to a senior Gazetted Officer.

However, in view of the fact that the money is stated to have been transferred to the account of petitioner Jatinder Kaur in January, 2018, with the statement of the bank account annexed with her petition being only uptill December, 2017, I do not consider it an appropriate case where the interim order passed in this petition

should be continued.

Consequently, without making any comment on the merits of the case, this petition is dismissed and the interim order is vacated.

CRM-M-41995-2019 and CRM-M-42195-2019

As regards the petitioners in CRM-M-41995-2019 CRM-M-42195-2019, i.e. Raj Kumar (stated to be the husband of Jatinder Kaur), and Rama respectively, learned State counsel, on instructions from the police official who is present in Court to assist him, submits that no money has been transferred to their bank accounts. He has also stated that the said petitioners have joined investigation.

Learned counsel for the the complainant has, however, opposed the continuation of the interim order in favour of the aforesaid two petitioners.

For the affidavit of the ADGP, Crime, to be filed with regard to investigation taken over by that wing and further progress thereafter, adjourned to 11.12.2019.

Interim order to continue till then only at this stage.

A photocopy of this order be placed on the file of connected case.

(AMOL RATTAN SINGH)
JUDGE

November 07, 2019
adhikari/atul