

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

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**CRM-M-19712-2020
Date of decision: 07.08.2020**

Ekta Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Ms. Nisha, Advocate for
Mr. Shakinderpal Singh Chakkal, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.114 dated 18.07.2019 registered under Sections 406, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 (for short, "IPC") at Police Station Adampur, District Jalandhar.

The above said FIR was registered against accused Arun Kumar, Vikas Kumar, Kiran Bala, Ekta Sharma (petitioner), Dushant and Jugraj Singh on complaint of Harjit Kaur, who alleged that the above said accused cheated her by falsely personating as officers of insurance company and making telephonic calls through mobile phone Nos.7834907874 and 7217550290 and got amount of Rs.32 lakhs transferred in the accounts mentioned from her.

The petition has been opposed by the learned State counsel. However, no reply has been filed by the respondent-State.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The petitioner was not named in the FIR and there is no documentary proof regarding crediting of any amount from the account of the complainant to the account of the petitioner. As per the case of the prosecution, amount of Rs.32 lakhs was transferred to the accounts of co-accused Arun Gupta. Similarly placed co-accused Vikas Kumar Gupta has already been granted bail by the Coordinate Bench of this Court vide order dated 16.06.2020. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has argued that in view of the gravity of the accusation, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case particularly nature of accusation and evidence against the petitioner, the fact that amount was allegedly transferred to the accounts of co-accused Arun Gupta and parity with co-accused Vikas Kumar Gupta, who has been granted regular bail by the Coordinate Bench of this Court vide order dated 16.06.2020 but without commenting on merits of the case, I am of the considered view that the petitioner deserves grant of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.08.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No